

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2018

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.17798 of 2018

S.Chandrakala

... Petitioner

vs.

1. The Managing Director,
Tamil Nadu State Marketing Corporation Ltd,
4th Floor, Thalamuthu Nadarasan Maligai,
Egmore, Chennai - 8.
2. The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Ltd,
LLA Building,
Anna Salai,
Chennai - 6.
3. The District Manager,
Tamil Nadu State Marketing Corporation Ltd,
Chennai Central,
B4 Ambattur Industrial Estate,
Chennai - 58.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents not to demand the licence fee of Rs.5,60,912/- for the month of July 2018 from the petitioner bar attached to TASMAC wine shop No.304, based upon the last month sale of the wine shop, and consequently direct the respondent to reduce the licence fee for the month of July 2018 by considering the representation dated, 06.07.2018.

For Petitioner

: Mr.M.Manimaran

For Respondents

: Mr.K.Sathish Kumar

Standing Counsel for R1 to 3

O R D E R

This Writ Petition is filed seeking for a mandamus directing the respondents not to demand the licence fee of Rs.5,60,912/- for the month of July 2018 from the petitioner bar attached to TASMAC wine shop No.304, based upon the last month sale of the wine shop, and consequently direct the respondent to reduce the licence fee for the month of July 2018 by considering the representation dated 06.07.2018.

2. Heard Mr.M.Manimaran, learned counsel appearing for the petitioner and Mr.K.Sathish Kumar, learned counsel appearing for the respondents.

3. The petitioner is a licensee of a bar attached to the TASMAC shop No.304. The petitioner entered into an agreement with the respondents for running the bar and thus, the petitioner is bound by the terms of the agreement for effecting payment of the licence fee every month. Taking advantage of an order passed by this Court in respect of certain shops, that too, in respect of the month of May, 2018, on the reason that some shops were closed abutting the main roads, the petitioner seeks for some indulgence from this Court for the following months as well.

4. I do not think that the petitioner is entitled for any indulgence from this Court in respect of the other months after May, 2018 as this Court has passed the above said order, taking note of the peculiar circumstances, which prevailed in pursuant to an order passed by the Apex Court for closure of the shops abutting the main roads. Therefore, the petitioner is bound to pay the licence fee as per the terms of the agreement entered into between the parties. Thus, I find no merit to entertain this writ petition and issue the mandamus as sought for. According, the Writ Petition fails and the same is dismissed. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

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Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State Marketing Corporation Ltd,
4th Floor, Thalamuthu Nadarasan Maligai,
Egmore, Chennai - 8.

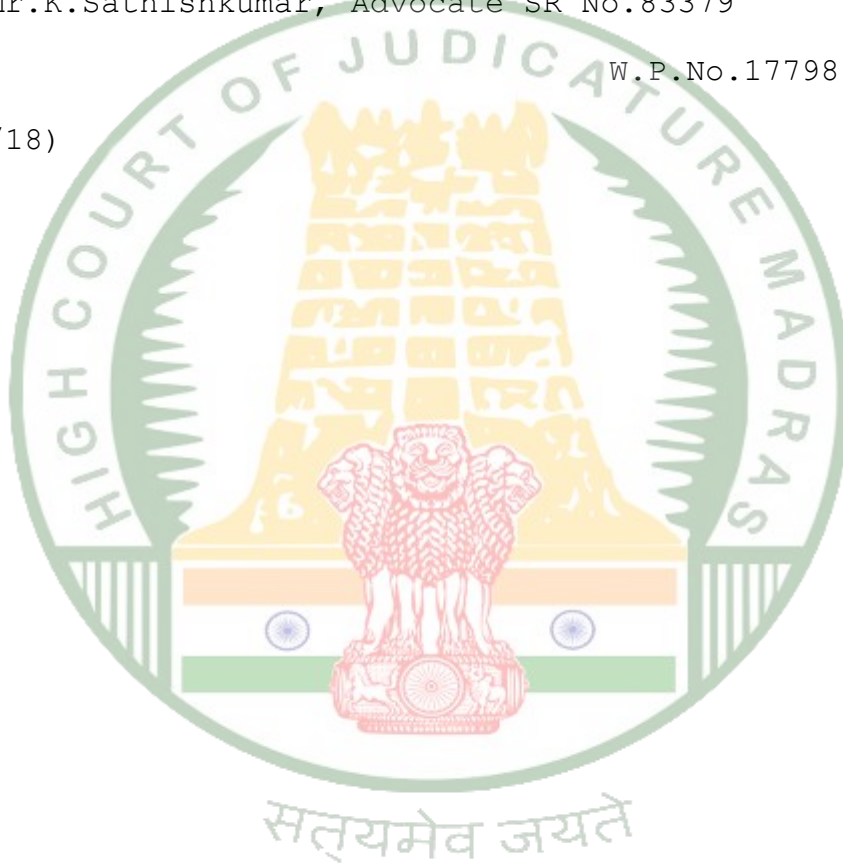
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3. The District Manager,
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Chennai - 58.

+1 cc to Mr.K.Sathishkumar, Advocate SR No.83379

VG-II(co)
ssm(19/12/18)

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