

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 02.11.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.28090 of 2018
and
W.M.P.NO.32739 of 2018

S.Srinivasan

..Petitioner

Vs.

- 1.The District Collector,
Kancheepuram District, Kancheepuram.
- 2.The President,
Cantonment Board, Fort St. George,
Chennai - 600 009.
- 3.The Chief Executive Officer,
Cantonment Board, St. Thomas Mount,
Chennai - 600 016.
- 4.The Tamil Nadu State Marketing Corporation Limited (TASMAC)
Rep. by its District Manager,
Kancheepuram (North), District,
Thirumazhisai Unit (III),
No.1, Bangalore Highway Road,
Chembarambakkam,
Thiruvallur District.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from locating/opening TASMAC Wine Shop No.4119, or any other Wine Shop at Srinivasa Perumal Koil Street, Pallavaram, Chennai - 600 043.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.N.Inbanathan,
Additional Government Pleader for R1

Mr.Chevanan Mohan for R2 & R3

Mr.P.Arumugarajan,
Standing Counsel for R4

O R D E R

The prayer sought for in this writ petition is for a mandamus forbearing the respondents from locating/opening a TASMAL Wine Shop No.4119, or any other Wine Shop at Srinivasa Perumal Koil Street, Pallavaram, Chennai - 600 043.

2. After notice, the matter is listed today for further hearing.

3. The learned counsel appearing for the second and third respondents submitted that the board has already passed a resolution dated 10.12.2012 not to issue trade license to TASMAL liquor shops, being run by the State Government, within a Cantonment area. Therefore, he submitted that the petitioner's apprehension is not well founded. He has also produced a copy of the Resolution No.12 dated 10.12.2012, which reads as follows:

"...RESOLUTION 12: The Board resolved not to issue trade licence to TASMAL liquor shops, being run by the State Government. Further resolved that action as per provision of Cantonment Act 2006 be taken for running shops without valid trade licence, since these shops are being nuisance to the public."

4. In view of the above stand taken by the respondents 2 and 3, the learned counsel for the petitioner submitted that the writ petition may be closed by recording the above said submission. Accordingly, this writ petition is disposed of, by recording the submission made by the learned counsel for the respondents 2 and 3. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

krk/vri

To

1.The District Collector,
Kancheepuram District, Kancheepuram.

2.The President,
Cantonment Board, Fort St. George,
Chennai - 600 009.

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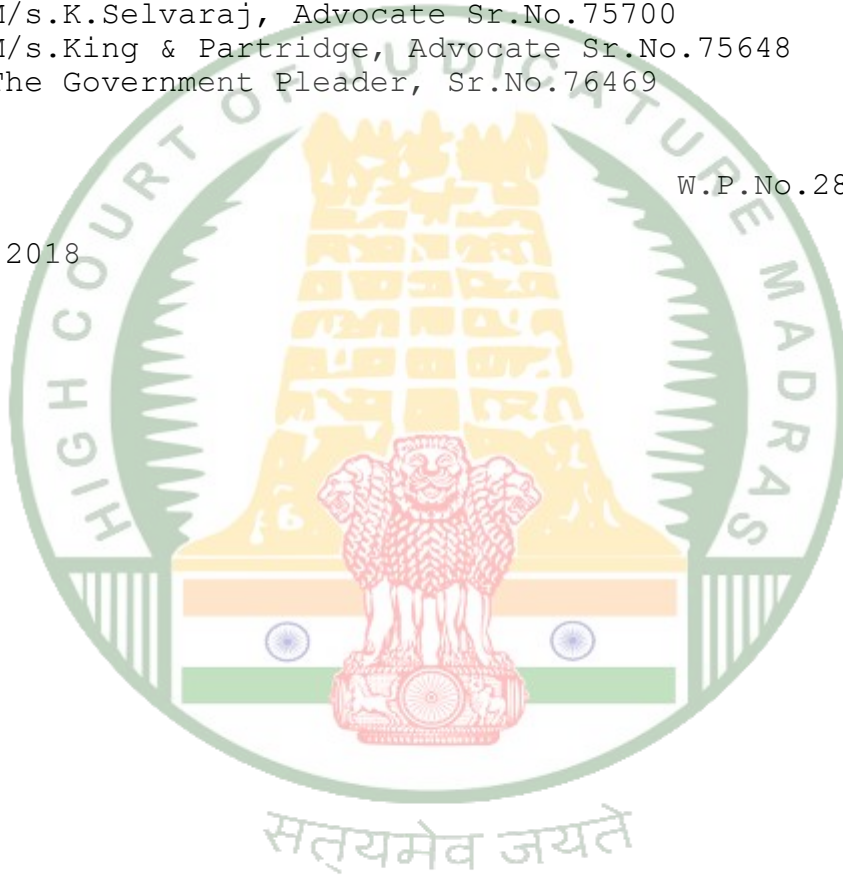
+1 cc to M/s.K.Selvaraj, Advocate Sr.No.75700

+1 cc to M/s.King & Partridge, Advocate Sr.No.75648

+1 cc to The Government Pleader, Sr.No.76469

W.P.No.28090 of 2018

CNR (CO)
CSL/19.11.2018



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