

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.1678 of 2019
and
W.M.P.No.1882 of 2019

N.Anbarasan
S/o.Nagappan

...Petitioner

vs.

1.The District Manager
TASMAC Limited
Kancheepuram North District
Kancheepuram.

2.The District Collector
Kancheepuram.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from in any manner closing the Tasmac Shop No.4095 functioning at No.16, 200 Feet Road, Zamin Pallavaram, Kancheepuram District.

For Petitioner : Mr.S.Balasubramanian

For Respondents : Mr.P.Arumugarajan
standing counsel for R1
Mr.V.Haribabu
Additional Government Pleader
for R2

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O R D E R

The petitioner seeks for mandamus forbearing the respondents from in any manner closing the Tasmac Shop No.4095 functioning at No.16, 200 Feet Road, Zamin Pallavaram, Kancheepuram District.

2. Heard Mr.S.Balasubramanian, learned counsel for the petitioner, Mr.P.Arumugam, learned standing counsel for the first respondent and Mr.V.Haribabu, learned Additional Government Pleader for the second respondent.

3. The petitioner claims to be a licensee to run the bar in the Tasmac Shop No.4095, situated in the above said address.

4. The grievance of the petitioner is that the authorities are trying to relocate the shop to some other place and in that event, the petitioner would put to severe financial loss. Therefore, the petitioner seeks for the relief as stated supra.

5. The learned standing counsel for the first respondent, based on instructions, submitted that the petitioner is not having any locus standi to question the shifting of the Tasmac shop to some other place, since he is only a bar licensee. He further submitted that due to administrative reasons, the authorities have decided to shift the shop to some other place and consequently, they have temporarily closed the shop in the said premises.

6. Considering the above stated facts and circumstances, more particularly, the fact that the petitioner is only the bar licensee, this Court is of the view that he is not entitled to question shifting of the shop to some other place, as the bar licensee is not having any independent right over location of the shop in a particular premises. In any event as the authorities have decided to relocate the said shop to some other place and they have also closed the shop in the present premises temporarily, I do not find that the relief sought for in this writ petition can be granted to the petitioner.

7. Accordingly, this Writ Petition fails and the same is dismissed. In the event of shifting the shop to some other place, it is open to the petitioner to make appropriate application for running the bar at the shifted place and if any such application is filed, it is open to the authorities to consider the same on merits and in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mk

To

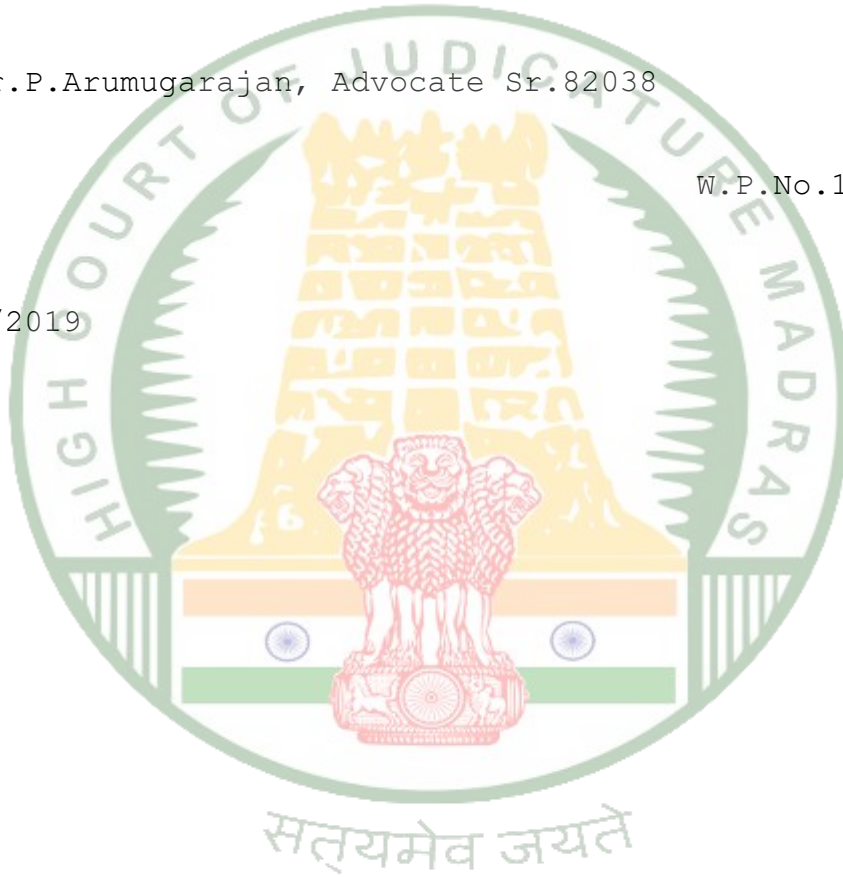
1.The District Manager
TASMAC Limited
Kancheepuram North District
Kancheepuram.

2.The District Collector
Kancheepuram.

+1cc to Mr.P.Arumugarajan, Advocate Sr.82038

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