

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 22.07.2019
CORAM:
THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.21325 of 2019

Lion G.Devarajan

... Petitioner

Vs

1. The Collector,
District Collector Office,
Chennai-1.
2. The Collector,
District Collector Office,
Tiruvallur - 602 001.
3. The Director General of Police,
DGP Office,
1, Dr.Radhakrishna Salai, Mylapore,
Chennai - 600 004.
4. The Police Commissioner,
EVK Sampath Road, Vepery,
Chennai - 600 007.
5. The Inspector of Police
M3, Puzhal Police Station,
Chennai - 66.
6. The Inspector of Police,
E5, Sholavaram Police Station,
Chennai - 67.
7. The Inspector of Police,
T3, Korattur Police Station,
Korattur, Chennai - 600 080.
8. The Inspector of Police,
T1, Ambattur Police Station,
MTH Road, Chennai - 600 053.
9. The Inspector of Police,
V4, Rajamangalam Police Station,
Kolathur, Chennai - 600 099.

10. The Managing Director,
Tamil Nadu State Marketing Corporation Limited,
CMDA Tower-II, IV Floor, Gandhi Irwin Bridge Road,
Egmore, Chennai - 600 008.

11. The Deputy Commissioners,
Commissionerate of Prohibition and Excise,
6th Floor, Collectorate Building, 62 Rajaji Salai,
Chennai - 1.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, issuance of a writ of mandamus, for a direction based on the petitioner's representation dated 03.03.2019, 08.03.2019, 06.07.2019, 07.07.2018, 08.07.2019, 12.07.2019 and 13.07.2019 opposing the opening of TASMAC wine shop and Bar illegally Early Morning 5.00AM to 11.59 AM which is within prohibited radius of the Chennai and Tamil Nadu Police Station Limit.

For Petitioner : Mr.G.Devarajan
Party-in-person

For Respondents: Mr.E.Monoharan, AGP
(for R1 to R9 and R11)
Mr.Sathish Kumar for R6
Standing counsel for TASMAC

O R D E R

(Order of this Court was made by S.Manikumar, J.)

Alleging that there are several bars within the jurisdiction of the Deputy Commissioner, Madhavaram, functioning from 5 AM to 11.59PM Mr.G.Devarajan, party-in-person, is stated to have made several representations. According to him, TASMAC shops, within the jurisdiction of respondents 7 to 9 are functioning on all 365 days, against the rules and that the time stipulated by the Government, is not followed.

2. Material on record discloses that for one of the complaints, made to the Commissioner of Police, Chennai, 4th respondent dated 08.07.2019, Office of the Commissioner of Police, Chennai, vide C.No.1496/COP/Visitors/2019 has informed the petitioner that complaint dated 08.07.2019 has been referred to the Deputy Commissioner of Police, Madhavaram. Petitioner has been furnished with the telephone number of the Deputy Commissioner of Police, Madhavaram, and requested to contact.

3. According to the petitioner, in response to the above, he has sent another letter dated 12.07.2019, which reads thus.

"To
The Deputy Commissioner,
Commissionerate of Prohibition and Excise,
6th Floor, Collectorate Building, 62, Rajaji Salai,
Chennai - 1.

From
G.Devarajan,
25/12, Sathiyarayanarayan Street,
Sembium, Chennai-11.

Respected Sir,

I am residing in the above mentioned address. Across Chennai in all the Government Tasmac Shops, bars remain open from dawn to dusk and they are selling Tasmac liquor with a over price.

All the Tasmac Bars are functioning 24x7x365 days such work schedule was totally against the rules and regulation and Government Order (G.O.). In that regard, several representation were made to police Control Room as well as to the whatsapp number of Police Department with Video Proof. Further complaints were made before All Police Stations through Registered Post.

At the same time, I have sent complaint to TASMAC via Register Post. But so far no action has been taken by Police authority and TASMAC Administration, Chennai, as well as in Tamil Nadu, Tasmac Shops situated within the limit of every Police Station is functioning 24x7x365 days and the same is unlawful. Several complaints were made but no action has been taken.

I therefore request your good self to take action against the Tasmac Shops and bar owners across Chennai and Tamil Nadu, whom running bar before and after the time fixed by Government and also for selling liquor for price more than actual price fixed by the Government."

4. That apart, he has stated that whatsapp messages, have been sent. It is the submission of the petitioner that representations dated 03.03.2019, 08.03.2019, 06.07.2019, 07.07.2018, 08.07.2019, 12.07.2019 and 13.07.2019, have not been answered and thus, the instant writ petition for a mandamus, to consider the same. Party-in-person has submitted that all the TASMAC Shops are within the jurisdiction of Deputy Commissioner of Police, Madhavaram.

5. Considering the limited prayer sought for, we directed Mr.E.Manoharan, learned Additional Government Pleader to take notice. He submitted that the representation of Mr.G.Devarajan,

party-in-person, would be addressed.

6. Placing on record the submission of the party-in-person and the learned Additional Government Pleader for respondents 1 to 9 and 11, though, Deputy Commissioner of Police, Madhavaram, is not a party respondent, is directed to dispose of the representations received, within a period of three weeks, from the date of receipt of a copy of this order. Mr.G.Devarajan, party-in-person is directed to furnish proof of allegations made in the representations.

7. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

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Chennai-1.

2. The Collector,
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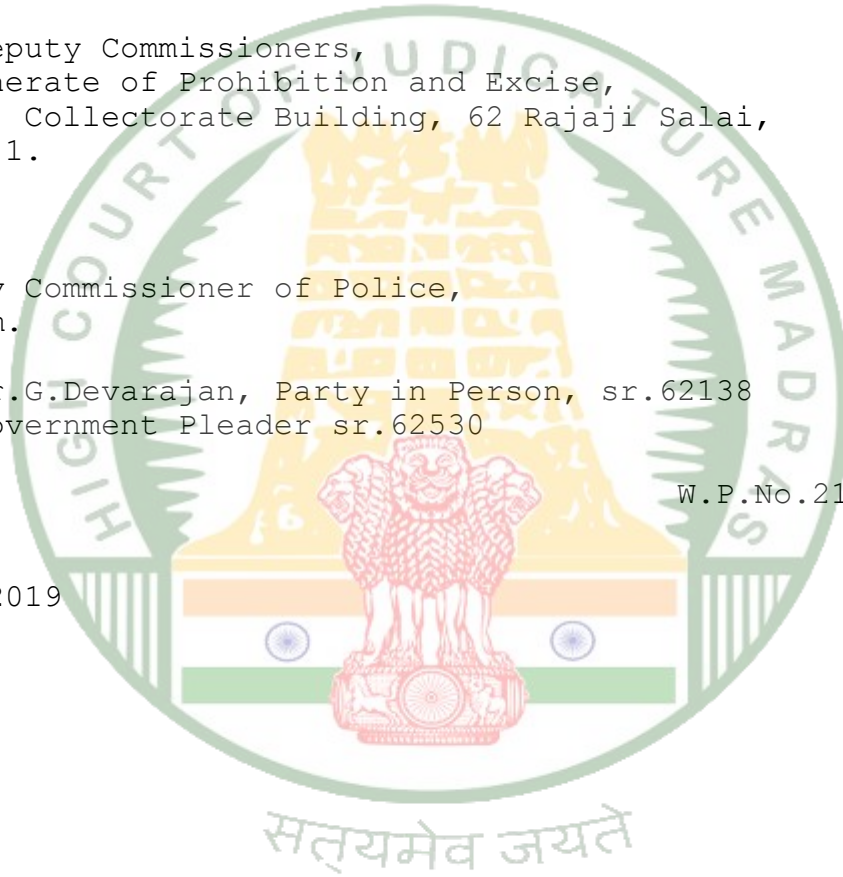
The Deputy Commissioner of Police,
Madhavaram.

+1cc to Mr.G.Devarajan, Party in Person, sr.62138

+1cc to Government Pleader sr.62530

W.P.No.21325 of 2019

mp(co)
nr 28/08/2019



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