

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.05.2020

CORAM

THE HON'BLE DR.JUSTICE VINEET KOTHARI  
AND  
THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.7614 OF 2020

B.Ramkumar Adityan

... Petitioner

Vs.

1.Chief Secretary  
Government of Tamil Nadu  
Secretariat, St. George Fort  
Chennai - 600 009

2.Additional Chief Secretary  
Prohibition and Excise Department  
Government of Tamil Nadu  
Secretariat, St. George Fort  
Chennai - 600 009

3.Principal Secretary  
Health Department  
Government of Tamil Nadu  
Secretariat, St. George Fort  
Chennai - 600 009

4.Director General of Police  
Tamil Nadu Police  
Dr.Radhakrishnan Salai  
Mylapore, Chennai - 4

5.Managing Director  
Tamil Nadu State Marketing Corporation Ltd  
CMDA Tower - II, 4th Floor  
Gandhi Irvin Bridge Road  
Egmore, Chennai - 8

.. Respondents

Writ petition filed seeking for a writ of mandamus directing the respondent Nos.2 and 5 to develop a Mobile App and Website for selling liquors before opening of all the Retail Liquor Selling Shops of the 5th Respondent throughout Tamil Nadu based on my representation dated 07.12.2018 and 10.05.2020 consequently direct the respondent No.5 to stop all cash sales.

For Petitioner : Mr.B.Ramkumar Adityan

For Respondents: Mr.S.R.Rajagopal,  
Addl. Advocate General  
assisted by  
Mr.V.Jayaprakash Narayanan  
Government Pleader

O R D E R

(Made by DR.VINEET KOTHARI, J.)

The Court was held by Video Conference, as per the Resolution of the Full Court dated 30th April 2020, by Judges at the respective residence offices and the counsel, staff of the Court appearing from their respective residences.

2. Mr.B.Ramkumar Adityan, a practising advocate, has filed the instant public interest litigation petition, seeking a direction to the State Government to develop a Mobile App and Website for selling liquors before opening of all the Retail Liquor Selling Shops of the 5th Respondent throughout Tamil Nadu.

3. We have observed that the said petitioner Mr.B.Ramkumar Adityan is a practising Advocate in High Court and he has filed a series of Public Interest Litigation petitions, with regard to the sale of liquor by the State, which is essentially a policy matter of the State. We have already passed detailed interim orders in a batch of writ petitions, on 06.05.2020 and 08.05.2020, wherein one of the petitions, was filed by the petitioner himself, and another batch of writ petition was decided by the Madurai Bench and passed orders on 11.05.2020, on the same subject relating to sale of liquor by TASMAC shops in the State. The matters have been now taken up to the Hon'ble Supreme Court, where they are now listed on 15.05.2020, and a Full Bench has been constituted by the Hon'ble Chief Justice of this court also, to take up the matters on 14.5.2020.

4. The learned Additional Advocate General, assisted by the learned Government Pleader, also pointed out that the petitioner is in the habit of filing such frivolous public interest litigation petitions and earlier in one such writ petition, a cost of Rs.10,000/- was imposed by the court upon him, to dissuade him to file such frivolous so called public interest writ petitions for whatever extraneous reasons he may have. He has not disclosed this fact in the present writ petition. Upon the initial observations made by the court, the petitioner sought leave of the court to withdraw this writ petition.

However, we are of the opinion that such a series of alleged Public Interest Litigation writ petitions are filed unnecessarily by a professional and a practising Advocate, therefore, we are constrained to observe that filing of such frivolous petitions are nothing but wasting the time of the court rather than serving a real cause of public relating to TASMAL liquor sale and the same have been dealt with by this court in the earlier batch of writ petitions and therefore, we do not find any reason for the petitioner to keep on filing fresh public interest litigations for the same cause.

5. Therefore, in order to effectively dissuade the petitioner from filing such kind of petitions unnecessarily, we are constrained to impose a cost of Rs.20,000/- on the petitioner, which we direct him to deposit in the Chief Minister Public Relief Fund, within a period of one week from today. The proof of such deposit shall be placed on record with reference to this writ petition. We expect the petitioner to observe a sense of professionalism while espousing the public cause in the public interest litigation petitions, in future.

6. In view of the above, the writ petition is dismissed, with a cost of Rs.20,000/- to be paid into the Chief Minister Public Relief Fund, within a period of one week from today.

-Sd/-

Asst.Registrar (CS V )

/true copy/

Sub Asst. Registrar

asr

To

1.Chief Secretary

Government of Tamil Nadu  
Secretariat, St. George Fort  
Chennai - 600 009

2.Additional Chief Secretary

Prohibition and Excise Department  
Government of Tamil Nadu  
Secretariat, St. George Fort  
Chennai - 600 009

3.Principal Secretary  
Health Department  
Government of Tamil Nadu  
Secretariat, St. George Fort  
Chennai - 600 009

4.Director General of Police  
Tamil Nadu Police  
Dr.Radhakrishnan Salai  
Mylapore, Chennai - 4

5.Managing Director  
Tamil Nadu State Marketing Corporation Ltd  
CMDA Tower - II, 4th Floor  
Gandhi Irvin Bridge Road  
Egmore, Chennai - 8

copy to

1.The Deputy Secretary & Treasurer  
Chief Minister's Public Relief Fund Finance (CMPRF)  
Department, Government of Tamil Nadu, Secretariat  
Chennai-09

2.The Section Officer  
Writ Section  
High Court, Madras-104

ssv(co)  
aa09/09/2020

W.P.No.7614 OF 2020

सत्यमेव जयते

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