

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No. 11485 of 2020
& W.M.P.No.14026 & 14029 of 2020

M.Silambarasan .. Petitioner in person

Vs

1.The State of Tamil Nadu
Rep.by its Additional Chief Secretary to Govt.,
Home (Prohibition & Excise) Department,
Secretariat,
Chennai - 600 009.

2.The Managing Director,
TASMAC Ltd.,
4th Floor, CMDA Tower - II,
Egmore,
Chennai - 600 008.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents all the bars attached with the TASMAC shops should be permanently closed.

For Petitioner .. Mr.M.Silambarasan

For Respondents .. Mr.Vijay Narayan,
Advocate General
for R1 & R2
assisted by
Mr.V.Jayprakash Narayanan,
Government Pleader
Mr.G.K.Muthukumar,
Spl. Govt. Pleader for R1
Mr.Sathish Kumar for R2

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner, who is a practising lawyer has come forward with this pro bono litigation seeking a direction to the

respondents to close all the bars attached with the TASMAC shops.

2. Heard the learned counsel appearing for the petitioner and the learned Advocate General appearing for the respondents.

3. The writ petition filed by the petitioner is not maintainable. This is a policy decision of the Government and, therefore, the Courts are not expected to go into the same. It is not as if such a decision has been taken only now. It has been in vogue for quite some time. The contention of the petitioner that more accidents, illegal and unlawful activities will take place due to the bars is in the realm of the surmises and conjectures. The petitioner does not claim as a matter of right that all the bars to be closed especially when liquor shops are allowed to function.

4. In such view of the matter, we do not wish to entertain this writ petition and this writ petition stands dismissed. However, liberty is given to the petitioner to take appropriate action, if law so provides insofar as the illegal and unauthorized bars that are stated to be running without adequate licence are concerned. No costs. Consequently, the connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

mmi/ssm

To

1. The Additional Chief Secretary to Govt.,
Home (Prohibition & Excise) Department,
Secretariat,
Chennai - 600 009.

2. The Managing Director,
TASMAC Ltd.,
4th Floor, CMDA Tower - II,
Egmore, Chennai - 600 008.

VGII(CO)
SP(05/10/2020)

W.P.No.11485 of 2020