

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.6974 of 2021

M.Jayanthi

...Petitioner

Vs.

- 1.The Chief Secretary to Government,
Fort St. George,
Secretariat,
Chennai - 09.
- 2.The Secretary to Government,
Electricity and Prohibition Excise Department,
Secretariat, Chennai - 600 009.
- 3.The Managing Director,
TASMAC, Egmore, Chennai.
- 4.The District Collector,
TASMAC, Villupuram District.
- 5.The District Manager,
TASMAC, Villupuram District,
Villupuram.
- 6.The Assistant Commissioner(PEW),
Villupuram District,
Villupuram.
- 7.The Zonal Prohibition Excise Officer,
Tindivanam,
Villupuram District.

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus direct the respondents 1 to 7 to consider the petitioner's representation dated 06.01.2021 within stipulated period and consequently direct to closed on NH-77, Pondicherry to Krishnagiri National Highways Road for 4 violation TASMAC shops respectively shop Nos.11673, 11524, 11483, 11793 by the 1 to 7th Respondents.

For Petitioner : Mr.T.V.G.Kartheeban
For Respondents : Mr.K.S.Suresh, G.A.
for R.1,2,6 and 7

ORDER
(made by SENTHILKUMAR RAMAMOORTHY, J.)

The writ petitioner complains that four TASMAC shops have been established on NH-77, Pondicherry to Krishnagiri National Highways Road.

2. It is asserted that the establishment of these four TASMAC shops is in violation of applicable laws and rules. The Petitioner further asserts that a representation was issued to Respondents 1 to 7 on 06.01.2021, in this regard, but no response has been forthcoming from the Respondents.

3. Learned Government Advocate Mr.Suresh accepts notice on behalf of Respondents 1,2,6 and 7.

4. In case the establishment of the four TASMAC shops is not in accordance with applicable rules, including without obtaining the requisite licence, necessary action would be required to be taken by the authorities in accordance with law. On the other hand, if such shops have been established in accordance with the licensing requirements and applicable rules, no action need be taken.

5. Accordingly, without examining the merits of the representation dated 06.01.2021, the 5th Respondent herein is directed to consider such representation and dispose of the same by a speaking order within a period of six weeks from the date of receipt of a copy of this order after providing a reasonable opportunity to all affected parties.

5. W.P.No.6974 of 2021 is disposed on the above terms. There will be no order as to costs.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

srrg

To:

- 1.The Chief Secretary to Government,
Fort St. George, Secretariat, Chennai - 09.
- 2.The Secretary to Government,
Electricity and Prohibition Excise Department,
Secretariat, Chennai - 600 009.
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- 5.The District Manager,
TASMAC, Villupuram District,
Villupuram.
- 6.The Assistant Commissioner (PEW),
Villupuram District,
Villupuram.
- 7.The Zonal Prohibition Excise Officer,
Tindivanam,
Villupuram District.

+1 CC to Mr.T.V.G.Kartheeban, Advocate sr 17229
+1 CC to The Government Pleader sr 18005.

W.P.No.6974 of 2021

AAB (CO)
SP(31/03/2021)

सत्यमेव जयते

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