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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.15299 of 2021

Manikandan

.. Petitioner

Vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Managing Director,
Tasmac Limited,
CMDA Tower - II,
Egmore, Chennai - 600 009.
3. The District Manager,
Tasmac Limited,
SIDCO Complex,
Orikkai,
Kancheepuram - 631 502,
Kancheepuram District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus forbearing the respondents from establishing or re-locating the TASMAC shop attached with Bar No.4001 at S.No.87B, Vanigar Street, Town S.No.529/4, Kancheepuram District or its adjoining area.

For Petitioner : Mr.K.Balu

For Respondents : Mr.P.Muthukumar
Counsel for the State
for respondent No.1

Mr.P.Arumugarajan
Standing Counsel (TASMAC)
for respondent Nos.2 and 3



ORDER

(Order of the Court was made by Senthilkumar Ramamoorthy, J.)

The petitioner seeks to prevent the setting up of a TASMAC shop at S.No.87B, Town S.No.529/4 at Vanigar Street, Kancheepuram District.

2. The petitioner states that the second and third respondents are proposing to set up a TASMAC shop with an attached bar at the aforementioned location. The petitioner alleges that if the shop is set up at the proposed location, it would be within the prohibited distance from educational institutions and places of worship. In spite of submitting a representation dated 19.06.2021 in this regard, it is stated that no action has been taken.

3. Mr.P.Muthukumar, learned counsel for the State, accepts notice on behalf of the first respondent and states that the District Collector is the appropriate authority to consider and dispose of the petitioner's representation.

4. Accordingly, without going into the merits of the matter, the first respondent - District Collector, Kancheepuram is directed to consider the petitioner's representation dated 19.06.2021 and dispose of the same by a reasoned order by examining whether the proposed TASMAC shop would violate the Tamil Nadu Liquor Retail Vending (In shops and bars) Rules, 2003. Such reasoned order shall be passed after providing a reasonable opportunity of hearing both to the petitioner and any other persons affected by such order within a period of eight weeks from the date of receipt of a copy of this order.

5. W.P.No.15299 of 2021 is disposed of without any order as to costs. Consequently, W.M.P.No.16189 of 2021 is closed.

Sd/-

Assistant Registrar

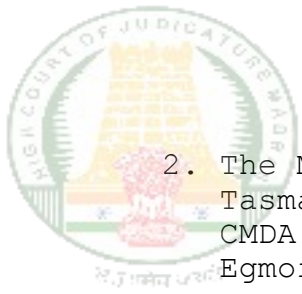
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Sub Assistant Registrar

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To:

1. The District Collector,
Kancheepuram District,
Kancheepuram.



2. The Managing Director,
Tasmac Limited,
CMDA Tower - II,
Egmore, Chennai - 600 009.

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3. The District Manager,
Tasmac Limited,
SIDCO Complex,
Orikkai,
Kancheepuram - 631 502,
Kancheepuram District.

W.P.No.15299 of 2021

KV(CO)
BE(29/07/2021)