

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.32543 of 2019

T.P.Subramaniam,
President of Anna Nagar West
Arul Vallalar Residents Welfare Association,
Plot No.1386, I Block,
10th Street, Vallalar Kudiyruppu,
Anna Nagar West,
Chennai - 600 040. ... Petitioner

-vs-

- 1.The Managing Director,
TASMAC Limited,
4th Floor, CMDA Tower-II,
Gandhi Irwin Bridge Road,
Egmore, Chennai - 600 008.
- 2.The District Collector,
Chennai District,
Chennai.
- 3.The District Manager,
TASMAC Limited,
Chennai Central District,
B4-Ambattur Industrial Estate,
Chennai - 600 101.
- 4.The Inspector of Police
V5, Thirumangalam Police Station
Anna Nagar West Extension
Chennai 600 101. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus forbearing the respondents and their subordinates from running/establishing the Tasmac Shop No.429 and Tasmac Bar attached with Restaurant in 18th Main Road, I Block, Anna Nagar West, Chennai - 600 040 by considering the objections of the petitioner's association dated 04.08.2016, 30.04.2017, 22.09.2017, 30.05.2018 respectively.

For Petitioner : Ms.R.Divya
for M/s.K.Balu

For Respondents : Mr.Sathish Kumar
Standing Counsel
for respondent Nos.1 and 3

: Ms.R.J.Radhika
Government Advocate
for respondent Nos.2 and 4

ORDER

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

The petitioner complains of a TASMAC shop and bar at 18th Main Road, I Block, Anna Nagar West, Chennai-40.

2. The petitioner states that the aforesaid liquor vending shop and bar was opened in a thickly populated residential area in Anna Nagar West and that the same is causing considerable inconvenience and disturbance to those living in the vicinity thereof. It is further stated that the shop is close to the SBOA Higher Secondary School, MTC bus stand, Vinayagar temple, Murugan temple and Muthumariamman temple. The petitioner also states that the said shop has been set up in the aforesaid location in violation of the applicable rules for liquor vending.

3. Learned Standing Counsel for the TASMAC refutes the aforesaid allegations and relies on the counter-affidavit of the TASMAC in that regard.

4. In the aforesaid facts and circumstances, without examining the merits of the matter, the petitioner is permitted to carry a fresh representation to the second respondent - District Collector, Chennai District. Such representation shall be submitted within a period of two weeks from the date of receipt of a copy of this order. On receipt thereof, the second respondent - District Collector, Chennai District is directed to examine such representation and dispose of the same by a reasoned order within a period of eight weeks from the date of receipt of such representation after providing a reasonable opportunity to all parties affected thereby.

5. W.P.No.32543 of 2019 is disposed of without any order as to costs. Consequently, W.M.P.No.32903 of 2019 is closed.

s/d-
Assistant Registrar(CS VII)

True Copy

Sub-Assistant Registrar

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To:

- 1.The Managing Director,
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V5- Thirumangalam Police Station
Anna Nagar West Extension
Chennai 600 101.

+1 CC to The Government Pleader sr 25709.
+1 Cc to Mr.K. Balu, Advocate sr 25591.

W.P.No.32543 of 2019

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RLD(CO)
SP(14/06/2021)