



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2022

CORAM :

WEB COPY

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.5398 of 2022

Kannan

..Petitioner

Vs.

1. The Managing Director
TASMAC, Egmore, Chennai 600 008.
2. The District Collector
Salem District, Salem.
3. The District Manager
TASMAC, Salem District.

..Respondents

Prayer:Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 and 2 to consider the representation dated 22.01.2022 made by the petitioners and the villagers of Kondaiyankadu, Pannappatti Panchayat and subsequently direct the first and second respondents to take action to remove the TASMAC liquor retail vending shop No.7259 from Kandaiyankadu, Pannappatti Panchayat, Salem District, in accordance with law, within a time frame as may be fixed by this Court.

For the Petitioner : Mr.C.Deepak Kumar

For the Respondents : Mr.K.Satish Kumar
Standing Counsel
for respondents 1 & 3

Mr.P.Muthukumar
State Government Pleader
for respondent 2



ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

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The writ petition has been filed to change the location of the TASMAL liquor retail vending shop bearing No.7259.

2. The writ petition has been filed despite the alternative remedy of appeal available to the petitioner under Rule 9A of the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003, as amended.

3. In view of the above, this writ petition is dismissed in view of the availability of efficacious alternative remedy and more so, it involves question of fact regarding distance of the shop, as alleged by the petitioner. The petitioner would, however, be at liberty to take the remedy of appeal if he remains aggrieved by the location of the shop. There will be no order as to costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

kpl/drm

To:

1. The Managing Director
TASMAL, Egmore, Chennai 600 008.
2. The District Collector
Salem District
Salem.
3. The District Manager
TASMAL, Salem District.

+1 cc to the Government Pleader, Sr.No.16293

W.P.No.5398 of 2022

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NSK 16/03/2022