



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 29.04.2022

CORAM:

**THE HONOURABLE MR.JUSTICE C.SARAVANAN**  
**W.P. (MD) No.8667 of 2022**  
**and**  
**W.M.P. (MD) No.6357 of 2022**

S.Marimuthu

... Petitioner

/vs./

1. The District Collector,  
Pudukkottai District.
2. The Managing Director,  
TASMAC Limited,  
Thalamuthu Natarajan Building,  
4<sup>th</sup> Floor, 2<sup>nd</sup> Block,  
Egmore, Chennai -8.
3. The District Manager,  
TASMAC Ltd.,  
Sipcot Industrial Area,  
Pudukkottai District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent 1 to 3 not to shift the TASMAC shop without giving any prior notice, to follow the due process of law, to follow winding rules and to consider any objection.

For Petitioner : Mr.S.Bageerathan

For R1 : Mr.M.Prakash  
Additional Government Pleader

For R2 & R3 : Mr.H.Arumugam

### ORDER

The petitioner has filed this writ petition for a Mandamus to direct the respondent 1 to 3 not to shift the TASMAC shop without giving any prior notice to the petitioner.



2.It is submitted that the respondents have decided to shift the TASMAC shop to a new location contrary to Rule 9 of the Tamil Nadu Liquor Retail Vending (In Shops and Bars) Rules, 2003.

3.The learned counsel for the official respondent on the other hand has produced a copy of the order of the 1<sup>st</sup> respondent/the District Collector dated 25.03.2022, wherein the District Collector, Pudukkottai District has given permission to the respondents to change the TASMAC shop to a new location.

4.In the light of the above, there is no merit in the submission of the learned counsel for the petitioner that the proposal is contrary to Rule 9 of the aforesaid Rules. If at all the petitioner is aggrieved by the said decision, it is open for the petitioner to file a statutory appeal before the Appellate Commissioner in terms of the amended Rules.

5.The writ petition stands dismissed, in terms of the above observations. The respondents are directed to furnish a copy of the aforesaid letter dated 25.03.2022 of the 1<sup>st</sup> respondent to the petitioner to file a statutory appeal before the Appellate Commissioner in terms of the amended Rules. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(Writ)

// True Copy //

/ /2022  
Sub Assistant Registrar(CS)

mm  
To

The District Collector,  
Pudukkottai District.

+1 CC to M/s.S. BAGEERATHAN, Advocate  
( SR-22584[F] dated 29/04/2022 )

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and  
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SP/26/05/2022/2P/3C

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