



WP No.9114 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.10.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA , CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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B.Mathivanan

.. Petitioner

-VS-

1. The Chairman,  
TASMAC, CMDA Tower-II,  
IV Floor, Gandhi Irwin Road,  
Egmore, Chennai-600 008.
2. Managing Director,  
TASMAC, CMDA Tower-II,  
IV Floor, Gandhi Irwin Road,  
Egmore, Chennai-600 008.
3. The District Manager, TASMAC,  
G-29 and 30, Industrial Estate,  
SIDCO Road, Kakkalur,  
Thiruvallur-602 003.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1<sup>st</sup> and 2<sup>nd</sup> respondent to shut down Shop No.832 at Shanti Puram, Thirumullaivoyal, Chennai-600 062 as there is a Shop running successfully and its already

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existing in the same road within 10 Meters distance considering  
"Tipplers urinating in the road with Open Defection, and the entire street is polluted with a foul smell, Eve teasing, molesting of women above all its sets up a wrong precedent to young kids who are bound to get addicted which could possibly lead to increasing of crime rate in the society.

For the Petitioner : Mr.R.Rajesh

For the Respondents : Mr.K.Balakrishnan

\* \* \* \* \*

### ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.R.Rajesh, learned counsel for the petitioner and Mr.K.Balakrishnan, learned counsel for the respondents.

2. The learned counsel for the petitioner submits that the liquor shop is run violating the rules and within the distance of 50 meters, the hospital and temple exist. Even hygienic conditions are not maintained.



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3. In case the persons are aggrieved by grant of permission to run the liquor shop, then the same can be challenged under Rule 9A of the Tamil Nadu Liquor Retail Vending (In Shops and Bars) Rules, 2003. The petitioner may avail the said remedy. In that event, all contentions are kept open.

The writ petition is accordingly disposed of. There will be no order as to costs.

**(S.V.G., CJ.)**

**(D.B.C., J.)**

**10.10.2023**

Index : Yes/No  
Neutral Citation : Yes/No  
sra

To

1. The Chairman,  
TASMAC, CMDA Tower-II,  
IV Floor, Gandhi Irwin Road,  
Egmore, Chennai-600 008.
2. The Managing Director,  
TASMAC, CMDA Tower-II,  
IV Floor, Gandhi Irwin Road,  
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THE HON'BLE CHIEF JUSTICE  
AND  
D.BHARATHA CHAKRAVARTHY, J.

(sra)

3. The District Manager, TASMAL,  
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