



WP No.11673 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.11673 of 2023  
and WMP No.11572 of 2023

M.Mahalingam

.. Petitioner

-VS-

1. The Chairman,  
Tamil Nadu State Marketing Corporation Limited,  
CMDA Tower II, IV Floor,  
Gandhi Irwin Bridge Road, Egmore,  
Chennai-600 008.
2. The District Collector,  
Vellore District, Vellore.
3. The Senior Zonal Manager,  
TASMAC, No.56, Brindavan Road, Fairlands,  
Salem – 636 016.
4. The District Manager,  
TASMAC, Tamil Nadu Ware Housing Corporation,  
Katpadi Road, Vellore-632 004.
5. The Block Development Officer,  
BDO Office, Gudiyattam,  
Vellore District.



WP No.11673 of 2023

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to shift the TASMAR Retail Liquor Shop No.11038 along with a bar T.S.No.358/7 Ward No.7, Block No.2 Kondasamuthiram Gudiyattam Taluk, Vellore District by considering the petitioner's representation dated 27.03.2023.

For the Petitioner : Mr.M.Guruprasad  
For the Respondents : Mrs.R.Anitha,  
Special Govt. Pleader  
for RR 1, 2 and 5  
: Mr.Balakrishnan  
for RR 3 and 4  
\* \* \* \* \*

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Guruprasad, learned counsel for the petitioner, Mrs.R.Anitha, learned Special Government Pleader, for respondent Nos.1, 2 and 5 and Mr.Balakrishnan, learned counsel for respondent Nos.3 and 4.

2. The objection is to the running of TASMAR shop. It is the contention of the petitioner that there are two schools situated within



WP No.11673 of 2023

the vicinity of 100 meters of the said TASMAC shop, as such the TASMAC shop cannot run at the said site.

3. The learned counsel for the respondents submits that the petitioner has a remedy under Rule 9A of the Tamil Nadu Liquor Retail Vending (In Shops and Bars) Rules, 2003.

4. In light of that, the petitioner may avail the alternate remedy as is permissible under law. In that event, all the contentions of the respective parties are kept open.

The writ petition is, accordingly, disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

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

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

**10.11.2023**

Index : Yes/No  
Neutral Citation : Yes/No

sra



WEB COPY



WP No.11673 of 2023

THE HON'BLE CHIEF JUSTICE  
AND  
D.BHARATHA CHAKRAVARTHY, J.

(sra)

To

1. The Chairman,  
Tamil Nadu State Marketing Corporation Limited,  
CMDA Tower II, IV Floor, Gandhi Irwin Bridge Road,  
Chennai-600 008.
2. The District Collector,  
Vellore District, Vellore.
3. The Senior Zonal Manager,  
TASMAC No.56, Brindavan Road Fairlands,  
Salem – 636 016.
4. The District Manager,  
TASMAC Tamil Nadu Ware Housing Corporation,  
Katpadi Road, Vellore-632 004.
5. The Block Development Officer,  
BDO Office, Gudiyattam, Vellore District.

WP No.11673 of 2023

10.11.2023