



W.P.No.29765 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.29765 of 2023

R.Saravanan

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Petitioner

Vs.

1. The Additional Chief Secretary
Government of Tamil Nadu
Home, Prohibition and Excise Department
Secretariat, Fort St. George, Chennai – 9.
2. Tamil Nadu State Marketing Corporation Ltd.
(TASMAC), rep. by its Managing Director
CMDA Building, 4th Floor Phase II
Egmore, Chennai – 8.
3. The Chennai Collector
Singaravel Malligai, Rajaji Salai
Chennai – 1.
4. The District Manager
Tamil Nadu State Marketing Corporation Ltd.
(TASMAC), Kancheepuram North (District)
Thirumalaisai Unit – III
1, Bangalore Highway Road
Chembarabakkam Tiruvellore District.

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Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents not to start any TASMAL outlet at Door No.132, Survey No.84, Palavakkam, Chennai – 600 041 and to consider the petitioner's complaint dated 23.08.2023 to the respondents and issue necessary direction to the respondents.

For the Petitioner	: Mr.P.Sidharthan
For the Respondents	: Mr.P.Muthukumar State Government Pleader assisted by Mrs.R.Anitha Special Government Pleader for R1 & R3
	Mr.K.Balakrishnan Standing Counsel for R2 & R4

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.P.Sidharthan, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader assisted by Mrs.R.Anitha, learned Special Government Pleader for respondents 1 and 3 and Mr.K.Balakrishnan, learned Standing Counsel for respondents 2 and 4.

2. Learned counsel for the petitioner submits that after filing the present petition, the Police Authorities have also rejected the No Objection Certificate.



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3. The present petition is filed based on presumptions and assumptions. Permission is not yet granted to the fourth respondent to open a TASMAL outlet at Door No.132, Survey No.84, Palavakkam, Chennai – 600 041.

4. In light of the above, the writ petition stands disposed of.

5. In case permission is eventually granted and the same is against the provisions of law, the aggrieved party is at liberty to challenge the same under the provisions of the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003.

6. There will be no order as to costs. Consequently, W.M.P.No.29375 of 2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

16.10.2023

Index : Yes/No
Neutral Citation : Yes/No
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