



W.P.No.29074 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.29074 of 2023

Rajendran

.. Petitioner

Vs.

1. The District Collector

Tiruvallur District

Tiruvallur.

2. The Managing Director

Tamil Nadu State Marketing Corporation Ltd.

4<sup>th</sup> Floor, Thalamuthu Nadarasan Maligai

Egmore, Chennai 8.

3. The District Manager

Tamil Nadu State Marketing Corporation Ltd.

Tiruvallur East, Tiruvallur.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to not to open the TASMAL wine shop No.8876 in the proposed location at No.108, Trunk Road, Bangalore National Highways, V.R.Puram, Thirumazhisai, Tiruvallur District.

Page 1 of 5



W.P.No.29074 of 2023

For the Petitioner : Mr.K.Manimaran

For the Respondents : Mr.P.Muthukumar  
State Government Pleader  
for Respondent-1

Mr.K.Balakrishnan  
for Respondents 2 & 3

ORDER  
(Made by the Hon'ble Chief Justice)

Heard Mr.K.Manimaran, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader for the first respondent and Mr.K.Balakrishnan, learned counsel for the respondents 2 and 3.

2. The present petition deserves to be dismissed on the ground that no cause of action exists.

3. The writ petition is filed for a direction that permission may not be granted to open TASMAL shop. It is the contention of learned counsel for the petitioner that permission is not yet granted.



W.P.No.29074 of 2023

WEB COPY

4. Learned State Government Pleader submits that permission has been granted to open the TASMAC shop at the proposed location at 108, Trunk Road. The representation of the petitioner is rejected on the ground that permission does not violate any of the requirements of the statute and the Rules.

5. Even under the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003, the petitioner has a remedy of appeal.

6. In the light of that, the writ petition is dismissed with liberty to the petitioner to avail the alternative remedy as may be permissible under law. There will be no order as to costs. Consequently, W.M.P.No.28661 of 2023 is also dismissed.

(S.V.G., CJ.)

(D.B.C., J.)

09.10.2023

Index : Yes/No  
Neutral Citation : Yes/No

kpl



W.P.No.29074 of 2023

WEB COPY

To

1. The District Collector  
Tiruvallur District  
Tiruvallur.
2. The Managing Director  
Tamil Nadu State Marketing Corporation Ltd.  
4<sup>th</sup> Floor, Thalamuthu Nadarasan Maligai  
Egmore, Chennai 8.
3. The District Manager  
Tamil Nadu State Marketing Corporation Ltd.  
Tiruvallur East, Tiruvallur.



WEB COPY



W.P.No.29074 of 2023

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

(kpl)

W.P.No.29074 of 2023

09.10.2023