



WEB COPY



W.P.No.34739 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2023

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

**W.P.No.34739 of 2023 &
WMP.No.34704 of 2023**

Balaraja

... Petitioner

Vs.

1. The District Manager,
Tamil Nadu State Marketing
Corporation Ltd.,
Thiruvallur East,
Thiruvallur.
2. Sasikala

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st respondent to issue license in favour of the petitioner to run the bar attached to TASMACH wine shop No.8799 situated at Mahatma Gandhi Street, Kumaran Nagar, Padi, Chennai 600 050 based upon the petitioner's representation dated 02.12.2023.



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For Petitioner : Mr. M. Manimaran

For Respondents : Mr. K. Balakrishnan,
Standing counsel for R1

ORDER

This Writ Petition is filed by the petitioner seeking for issuance of a Writ of Mandamus directing the 1st respondent to issue license in favour of petitioner to run the bar attached to TASMACH wine shop No.8799 situated at Mahatma Gandhi Street, Kumaran Nagar, Padi, Chennai 600 050 based on his representation dated 02.12.2023.

2. According to the petitioner, he was issued with license to run the bar attached to the TASMACH wine shop No.8799 in the year 2019 for a period of two years. The 2nd respondent is the landlord of the wine shop premises. Since there is no fresh tender called upon by the TASMACH Authorities, the petitioner was not able to get the license extended in his name. On 13.12.2023, the TASMACH authorities had called for opening of



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the tender to run the bar and the petitioner also participated in the said tender for bar attached to wine shop No.8799 situated within the premises of the 2nd respondent. Narrating all the above facts, the petitioner sent a representation on 02.12.2023 to the 1st respondent, but the same was kept pending by 1st respondent without passing any orders. Hence, the present Writ Petition.

3. The learned counsel appearing for the petitioner submitted that though the petitioner gave a representation to the 1st respondent on 02.12.2023 to issue licence in favour of the petitioner to run the bar attached to wine shop 8799, so far, the first respondent has not taken any steps to dispose of the petitioner's representation dated 02.12.2023. Further, the TASMAL Authorities had called for open tender for allotment of bar licence and the same is scheduled to be opened today, hence, he seeks appropriate directions from this Court.

4. On the other hand, the learned Standing Counsel appearing for



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the respondent submitted that the petitioner has already participated in the tender called for by the authorities and in the event of being successful in tender, bar licence would be granted in favour of him. Therefore, accordingly, the writ petition may be disposed of subject to the outcome of the result of the tender proceedings.

5. Considered the submissions of the learned counsel for the petitioner as well as learned Standing counsel appearing for the 1st respondent.

6. This court directs the 1st respondent to consider the representation of the petitioner dated 02.12.2023, which is always subject to the successfulness of the petitioner in the tender which is going to be opened on 13.12.2023 (today) and pass orders on the same within a period of fifteen days from the date of receipt of a copy of this order.



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7. The writ petition is disposed of with the above direction. No costs.

Consequently, the connected miscellaneous petition is closed.

13.12.2023

msr

Index:Yes/No

Internet:Yes/No

To

The District Manager,
Tamil Nadu State Marketing
Corporation Ltd., Thiruvallur East,
Thiruvallur.



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KRISHNAN RAMASAMY, J.

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