



WEB COPY



W.P. No. 36397 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.12.2023

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

**W.P. No. 36397 of 2023
and
W.M.P. No. 36400 of 2023**

N. Murugan

... Petitioner

-VS-

1. The Managing Director,
Tamil Nadu State Marketing Corporation Limited,
4th Floor, Thalamudhu Nadarasan Maligai,
Egmore, Chennai – 600 008.

2. The District Manager,
Tamil Nadu State Marketing Corporation Limited,
Kancheepuram North.

... Respondent

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the second respondent to issue licenses in favour of the petitioner to run the bar attached to TASMAL wine shop No. 4086, situated at No. 1/31, Muthu Mariamman Koil Street, Manimangalam Village, Chengalpet based upon the order passed in W.P.No. 31081 of 2023 dated 26.10.2023 and the second respondent's notice dated 13.12.2023.

For Petitioner : Mr. S.Chandrasekar

For Respondents : Mr. Balakrishnan



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ORDER

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The petitioner seeks for a direction to the second respondent to issue license to the petitioner to run the bar attached to TASMALC wine shop at No. 1/31, Muthu Mariamman Koil Street, Manimangalam Village, Chengalpet Taluk, based on the order in W.P.No.31081 of 2023 dated 26.10.2023.

2. It is the contention of the petitioner that he was running a bar with the permission of the landlord. On the expiry of the lease period, the respondent brought the right to consume liquor in a bar by way of an auction. The petitioner turned out to be the highest bidder. The license was not granted in his favour since he has not produced the NOC. This issue is no longer *res-integra* and has been settled by an order of this Court in W.P.No.32346 of 2023 dated 15.11.2023

3. Mr.K.Balakrishnan, learned Standing Counsel for TASMALC would submit that on production of the following records (i) Agreement between the Petitioner and the landlord and (ii) Proceedings before the Civil Court in O.S.No.162 of 2023 on the file of District Munsif Court, Sriperambadur, the second respondent will consider the application of the petitioner.



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4. Accordingly, the petitioner is directed to submit the aforesaid documents to the second respondent on 29.12.2023. On submission of such records, the second respondent shall pass an order by 12.01.2024.

5. With the aforesaid direction, this Writ petition is disposed of. There will be no order as to costs. Consequently, WMP No.36400 of 2023 is closed.

28.12.2023

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No

mrn/nsl

To

1. The Managing Director,
Tamil Nadu State Marketing Corporation Limited,
4th Floor, Thalamudhu Nadarasan Maligai,
Egmore, Chennai – 600 008.
2. The District Manager,
Tamil Nadu State Marketing Corporation Limited,
Kancheepuram North.



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V.LAKSHMINARAYANAN, J.

mrn/nsl

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28.12.2023