



W.P(MD)No.551 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2023

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.551 of 2023

R.Jayanthi

... Petitioner

VS.

1.The Commissioner,
Prohibition and Excise Department,
No.37 MC + 38 FC, Vadapalani,
Kannappar Thidal,
Periyamet,
Chepauk,
Chennai – 600 003.

2.The Managing Director,
TASMAC,
CMDA Tower – II, 4th Floor,
Gandhi Irwin Road,
Egmore,
Chennai – 600 003.

3.The Secretary,
Ministry of Prohibition and Excise Secretariat,
Fort of George,
Chennai – 600 009.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Mandamus, directing the respondents

1/5



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1 to 3 to consider the petitioner's representation, dated 12.11.2022 and declare 12th January "International Youth Day" every year as a holiday for the sale of liquor by the second respondent or through any other means.

For Petitioner : Mr.K.Seetharam
For RR 1 & 3 : Mr.P.Thilak Kumar
Government Pleader
For R – 2 : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.S.Sivanesan
Standing Counsel

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

The prayer in this Writ Petition is seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation, dated 12.11.2022 and declare 12th January "International Youth Day" every year as a holiday for the sale of liquor by the second respondent or through any other means.



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2. Seeking to declare 12th January, which is a "International Youth Day", every year as a holiday for the TASMACH shops in the State of Tamil Nadu, the petitioner made a representation, dated 12.11.2022 to the respondents. The said representation has not been considered so far. Hence, the petitioner has filed the present Writ Petition.

3. Mr. Veera. Kathiravan, learned Additional Advocate General, assisted by Mr. S. Sivanesan, learned Standing Counsel, who takes notice on behalf of the second respondent, submitted that the TASMACH Corporation has declared the holidays, as per the notification issued by the Government.

4. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, we are of the view that it is for the Government to consider the representation of the petitioner, dated 12.11.2022. Therefore, we direct the respondents 1 and 3 to consider the petitioner's representation, dated 12.11.2022 and pass appropriate orders on merits and in accordance with law, as early as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition is disposed of. No costs.

[D.K.K.,J.] [R.V.,J.]
10.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes

To

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D.KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
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DATED : 10.01.2023