



W.P.No.846 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2024

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.846 of 2024
and W.M.P.No.862 of 2024

G.Ramamoorthy

... Petitioner

-VS-

1.The Managing Director,
Tamil Nadu State Marketing Corporation Limited,
Gandhi Irwin Bridge Road, Egmore,
Chennai 600 008.

2.The District Manager,
Tamil Nadu State Marketing Corporation Limited,
Kancheepuram North Office,
IMFS Depot, Bangalore High Road,
Chembarambakkam Village, Thiruvallur District,
Tamil Nadu - 600 123.

3.N.Murugan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus to direct the second



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respondent to issue license in favour of the petitioner to run the bar attached to TASMAC wine shop No.4086 situated at No.1/131-B, Muthumariamman Koil Street, Manimangalam Village, Sriperumbudur Taluk, Kanchipuram District based upon the petitioner's representation dated 14.12.2023.

For Petitioner : Mr.N.Shanmuga Thayumanavan
Mr.G.Derrick Sam

For Respondents : Mr.K.Balakrishnan, SC (TASMAC)
1, 2

ORDER

The petitioner seeks a direction to the second respondent to issue a licence in his favour on the basis of the representation dated 14.12.2023. The petitioner asserts that he is the owner of the property described in paragraph 2 of the affidavit. He had entered into a rental agreement with the third respondent on 18.11.2019 for a period



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of three years running from 18.11.2019 to 17.11.2022. Upon a tender being floated by the first and second respondents, the third respondent was the highest bidder (H1) and the petitioner was the second highest bidder (H2). Since the tender conditions required the successful bidder to produce a NOC from the land owner and such NOC could not be obtained by H1, he approached this Hon'ble Court by filing W.P.No.36397 of 2023. The said writ petition was disposed of on 28.12.2023 by directing the petitioner to produce the agreement between himself and the landlord and the proceedings of the Civil Court in O.S.No.162 of 2023. The second respondent was directed to consider those documents and pass orders on 12.01.2024.

2. The petitioner has approached this Court in the above facts and circumstances in view of the fact that the second respondent has been directed to pass orders on 12.01.2024. The limited request made by learned counsel for the petitioner is that his objections should be considered before taking a decision on 12.01.2024.



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WEB COPY 3. Mr.K.Balakrishnan, learned SC (TASMAC), accepts notice for the first and second respondents and submits that the objections of the petitioner would also be considered before taking a decision.

4. Accordingly, W.P.No.846 of 2024 is disposed of by directing the second respondent to also take into consideration the objections of the petitioner before taking a decision on merits with regard to the request of the third respondent. The second respondent shall also take into account any submissions of the third respondent in relation thereto. Since the second respondent has been directed to consider the submissions of the third respondent also, this writ petition is disposed of without issuing notice to the third respondent. No costs. Consequently, W.M.P.No.862 of 2024 is closed.

11.01.2024

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Index : Yes / No

Internet : Yes / No

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Neutral Citation: Yes / No

Note: Issue Order copy on 11.01.2024

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To

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Chennai 600 008.

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SENTHILKUMAR RAMAMOORTHY,J

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