



WEB COPY



W.P.No.2127 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2024

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.2127 of 2024

S.Sudalaimani Kannan

... Petitioner

VS

1. The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Limited (TASMAC),
No.735, Anna Salai, LLA Building,
4th Floor, Chennai-600 002.

2. The District Manager,
Tamil Nadu State Marketing Corporation Limited
(TASMAC),
Kancheepuram (South),
No.14 to 18, SIDCO Industrial Estate,
Sevilimedu Village,
Kancheepuram & District 631 502.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus forbearing the respondents herein from relocating or shifting the TASMAC Wine Shop bearing shop no.4197 from the present address at Vengadamangalam Road, Nallambakkam Village, Tiruporur Taluk, Chengalpattu District in Survey No.1D/1G on the basis of the petitioner representation dated 18.08.2023.



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For Petitioner : Mr.V.Prakash, Senior Counsel,
for Mr.G.Magesh Kumar

For Respondents : Mr.K.Balakrishnan,
Standing Counsel (TASMAC)

ORDER

By this writ petition, the petitioner seeks to restrain the respondents from relocating TASMAC Shop No.4197 from the present address, which is specified in the prayer.

2. Learned senior counsel for the petitioner submits that the shop is located at a distance greater than 100 metres from the nearest school. Therefore, he submits that Rule 8 of the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003 is not being contravened.

3. Learned standing counsel for the TASMAC submits that an order was issued by the District Collector on 09.01.2024 directing that the shop be shifted.



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4. Learned senior counsel for the petitioner submits, on instructions, that this order was not received by the petitioner.

5. Since such order was issued, the recourse available to the petitioner is to challenge the order. However, in the meantime, the respondents are directed not to take steps to shift TASMAC shop No.4197 from the present location for a period of three weeks so as to enable the petitioner to avail of legal remedies.

6. W.P.No.2127 of 2024 is disposed of on the above terms. No costs.

27.02.2024

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

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