



WEB COPY



W.P.No.3489 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.3489 of 2019

D.Prabakaran

.. Petitioner

Vs

- 1 The State of Tamil Nadu
Rep. by Secretary to Government
Home, Prohibition and Excise Department
St. George Fort, Secretariat
Chennai – 600009.
- 2 Tamil Nadu State Marketing Corporation Limited
Rep. by Managing Director
CMDA Tower - II , IV Floor
Gandhi Irwin Bridge Road
Egmore, Chennai – 600008.
- 3 The District Collector
Coimbatore District.
- 4 The Regional Manager
305A Vilankurichi Road
Peelamedu Railway Station Back Side
Chntamani Co-operative Society Depot
Peelamedu Coimbatore – 641004.

.. Respondents



W.P.No.3489 of 2019

Prayer: Petitions filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to implement and ensure the implementation of Code of Prevention and Detection of Fraudulent Acts in Tamil Nadu State Marketing Corporation Limited - 2014 in respect of issuing purchase bills, rendering periodical accounts to the government, maintaining hygienic condition and collection of license fee from bars, prevention of charging of excess rates in the TASMAC which is leading to loss of exchequer to the government by considering the representations dated 01.10.2018 and 29.10.2018.

For the Petitioner : Mr.R.Prabakar

For the Respondents : Mr.K.Karthik Jegannath
Government Advocate
for respondents 1 and 3

: Mr.K.Sathish Kumar
for respondents 2 and 4

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

The writ petition is filed seeking directions against the respondents to ensure the implementation of Code of Prevention and Detection of Fraudulent Acts in Tamil Nadu State Marketing Corporation Limited - 2014 [for brevity, "*the Code*"] by alleging



W.P.No.3489 of 2019

that the purchase bills are not properly maintained; the periodical accounts are not submitted; and hygienic conditions are not maintained in the TASMAC shops and bars.

2. A status report is filed by the second respondent. It gives the details of the number of TASMAC shops and bars. The details are also given of the number of shops in the Corporation areas, Municipality areas and the Town Panchayat areas. It is stated that tenders are floated so as to ensure increase of another 200 number of bars, so that there are adequate number of bars. Steps are also being taken to eradicate illegal bars.

3. Learned counsel for the second respondent further submits that action is being taken against the erring shop and/or bar license holders. The licences are also regulated.

4. The second respondent shall supervise and ensure that the Code is properly implemented.



W.P.No.3489 of 2019

The writ petition is disposed of accordingly. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

12.03.2024

Index : Yes/No
Neutral Citation : Yes/No
sasi

To

- 1 The Secretary to Government
State of Tamil Nadu
Home, Prohibition and Excise Department
St. George Fort, Secretariat
Chennai – 600009.
- 2 The Managing Director
Tamil Nadu State Marketing Corporation Limited
CMDA Tower - II , IV Floor
Gandhi Irwin Bridge Road
Egmore, Chennai – 600008.
- 3 The District Collector
Coimbatore District.
- 4 The Regional Manager
305A Vilankurichi Road
Peelamedu Railway Station Back Side
Chntamani Co-operative Society Depot
Peelamedu Coimbatore – 641004.



W.P.No.3489 of 2019

THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

(sasi)

W.P.No.3489 of 2019

12.03.2024