



W.P.No.4671 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.4671 of 2024

Madan (Aka) Mathankumar

..

Petitioner

Vs.

1. The Government of Tamil Nadu
Rep. By It Secretary
Home Prohibition And Excise Department
Fort St. George, Chennai-600 009.
2. The District Collector,
Office of The District Collector, Villupuram.
3. The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
4th Floor, Thalamuthu Natarajan Maligai,
Egmore, Chennai-600 008.
4. The Deputy Collector
Tamil Nadu State Marketing Corporation Ltd (Tasmac),
Villupruam District.
5. The District Manager,
Tamil Nadu State Marketing Corporation Ltd (Tasmac),
Villupruam District.
6. D.Viji .. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, to direct the respondents 1 to 5 not to shift the TASMAL No.11582, Brammadesam Village, Marakkonam Taluk, Villupuram District to the new proposed place which is in contravention of rule 9 and 10 of Tamil Nadu Liquor retail Vending (in shops and bars) Rules 2003 and cause inconvenience to the general public and agriculturist by considering the petitioner representation dated 08.01.2024.

For the Petitioner : Mr.V.Sundarraman

For the Respondents : Mr.T.K.Saravanan
Government Advocate
for R1 and R2

Mr.K.Sathish Kumar
for R3 to R5

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.V.Sundarraman, learned counsel for the petitioner, Mr.T.K.Saravanan, learned Government Advocate for respondents 1 and 2 and Mr.K.Sathish Kumar, learned counsel for respondents 3 to 5.

2. The writ petition is filed in the nature of a public interest litigation, seeking directions to restrain respondents 1 to 5 from shifting the TASMAL Shop No.11582.



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3. Learned counsel for respondents 3 to 5 submits that with regard to the same TASMAC shop, the owner has filed a writ petition bearing W.P.No.1725 of 2004 with a similar prayer. The said writ petition is disposed of. In the said judgment, the learned Single Judge has directed to conduct an inquiry. It is submitted by the learned counsel for respondents 3 to 5 that the inquiry is pending.

4. In light of the fact that the same issue has already been dealt with by this Court, no orders are necessary in the present writ petition. The writ petition ought not to have been filled.

5. The writ petition, accordingly, stands disposed of. There shall be no order as to costs. Consequently, W.M.P.No.5102 of 2024 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

23.02.2024

Index : Yes/No
Neutral Citation : Yes/No

drm



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

(drm)

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