



W.P.No.8508 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.8508 of 2024

ERK

S/o. Late. Ellappan

.. Petitioner

Vs.

1. The District Collector
District Collectorate Complex
Fort Main Road, Salem – 636 001.

2. The Assistant Commissioner (Excise)
Department of Excise
District Collectorate Complex
Salem – 636 001.

3. The Senior Regional Manager
TASMAC, No.56, Brindavan Road
Fair Lands, Salem – 636 016.

4. The District Manager
TASMAC, 2/92, Sandhiyur Village
S.Attayampatti, Salem District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents to remove the TASMAC liquor shop bearing No.7141, situated at Railady Street, Attur an relocate it to some other unobjectionable place based on my representation dated 30.01.2024.

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For the Petitioner : Mr.A.Arun
for Mr.S.Sathia Chandran

For the Respondents : Mr.A.Edwin Prabakar
State Government Pleader
assisted by Mr.P.Harish
Government Advocate
for R1 and R2

Mr.M.Sekar
for R3 and R4

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.A.Arun, learned counsel appearing for Mr.S.Sathia Chandran, learned counsel for the petitioner, Mr.A.Edwin Prabakar, learned State Government Pleader assisted by Mr.P.Harish, learned Government Advocate for respondents 1 and 2 and Mr.M.Sekar, learned counsel for respondents 3 and 4.

2. The contention of the learned counsel for the petitioner is that the TASMAL liquor shop bearing No.7141 situated at Railady street, Attur is being operated illegally and unauthorizedly.



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3. Learned State Government Pleader submits that the petitioner has a remedy under Rule 9A of the Tamil Nadu Liquor Retail Vending (In Shops and Bars) Rules, 2003.

4. In the light of that, the petitioner may avail the alternate remedy, as may be permissible under law. In that event, all contentions of the respective parties are kept open.

5. The writ petition, accordingly, stands disposed of. There shall be no orders as to costs.

(S.V.G., CJ.)

(J.S.N.P., J.)

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Index : Yes/No
Neutral Citation : Yes/No

drm



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THE HON'BLE CHIEF JUSTICE
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