



W.P.No.19329 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P.No.19329 of 2024

A.Ramu

.. Petitioner

VS

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The Managing Director,
Tamilnadu State Marketing Corporation Limited,
(TASMAC),
Gandhi Irwin Bridge Road,
Egmore, Chennai-600 008.
- 3.The Regional Manager (TASMAC),
No.735, IV Floor,
L.L.A.Building, Anna Salai,
Chennai-600 002.
- 4.The Inspector of Police,
Brammadesam Police Station,
Villupuram District.



W.P.No.19329 of 2024

5.V.Muthukumar

6.V.Babu

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 6.5.2024.

For the Petitioner : Mr.M.Gnanasekar

For the Respondents : Mr.M.Habeeb Rahman
Government Advocate
for respondent No.1

: Mr.K.Sathish Kumar
Standing Counsel
for respondent Nos.2 and 3

: Mr.R.Muniyapparaj
Addl. Public Prosecutor
for respondent No.4

ORDER

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

This writ petition has been filed by the petitioner for issuance of a writ of mandamus directing respondents 1 and 2 to consider the representation dated 6.5.2024.



W.P.No.19329 of 2024

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2. Learned counsel for the petitioner submitted that the TASMACH shop bearing No.11582 was already ordered to be shifted from its present location to a different location by the proceedings of the first respondent dated 8.4.2017. Despite the same, the said TASMACH shop is operating in the present location and respondents 5 and 6, who are Supervisor and Salesman, respectively, are illegally selling the alcohol in cahoots with the building owner. In this regard, the petitioner has submitted a representation on 6.5.2024 to respondents 1 and 2 to take action against the illegal operation of the TASMACH shop. Despite the receipt of the said representation, respondents 1 and 2 have not taken any action. Hence, suitable direction may be issued to respondents 1 and 2 to consider the representation of the petitioner within the stipulated time.

3. The receipt of the representation of the petitioner dated 6.5.2024 by respondents 1 and 2 is not disputed. Further, as could be seen from the proceedings of the District Collector dated 8.4.2017, the TASMACH shop in question was ordered to be shifted from the present location to a different location.



W.P.No.19329 of 2024

4. Considering the facts and circumstances of the case and in the light of the submissions made by learned counsel for the petitioner, we direct respondents 1 and 2 to consider the representation of the petitioner dated 6.5.2024 by taking note of the proceedings dated 8.4.2017 of the first respondent and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of.
There shall be no order as to costs.

(D.K.K., ACJ.) (K.B., J.)
22.07.2024

Index : Yes/No
NC : Yes/No
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To:

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THE HON'BLE ACTING CHIEF JUSTICE
AND
K.KUMARESH BABU,J.

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