



W.P.No.20153 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

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SIVAKUMAR

.. Petitioner

Vs

1. THE GOVERNMENT OF TAMIL NADU
REP. BY ADDITIONAL CHIEF SECRETARY,
PROHIBITION AND EXCISE DEPARTMENT,
SECRETARIAT, CHENNAI – 600 009.
2. THE MANAGING DIRECTOR
TAMIL NADU STATE MARKETING CORPORATION,
GANDHI IRWIN BRIDGE ROAD,
EGMORE, CHENNAI-600 008.
3. THE DISTRICT COLLECTOR
TIRUPPUR DISTRICT COLLECTORATE OFFICE,
PALLADAM ROAD, TIRUPPUR DISTRICT.
4. THE ASSISTANT COMMISSINER (EXCISE)
TIRUPPUR DISTRICT.
5. THE DISTRICT MANAGER (TASMAC)
TAMIL NADU WARE HOUSING CORPORATION,
ANGERIPALAYAM, TIRUPUR-641 602.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India



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seeking issuance of a writ of mandamus forbearing the respondents from shifting the TASMACH Shop No.2309 to T.S.No.2/6, Ward No-2, Karuparpalayam, Mannarai, Tiruppur District, which is currently functioning at Karanampettai, Palladam Taluk, Tiruppur District.

For the Petitioner : Mr.T.Manikandan

For the Respondents : Mr.Habeeb Rahman
Government Advocate
for respondents 1, 3 and 4
: Mr.M.Sekar
for respondents 2 and 5

ORDER

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

This writ petition has been filed by the petitioner to forbear the respondents from shifting the TASMACH Shop No.2309 to T.S.No.2/6, Ward No.2, Karuparpalayam, Mannarai, Tiruppur District, which is presently functioning at Karanampettai, Palladam Taluk, Tiruppur District.

2. Today, when the writ petition is taken up for hearing, learned Government Advocate and learned Standing Counsel for the TASMACH, in one voice, submitted that the District Collector has passed an order shifting the TASMACH in question to some other location. Learned



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Government Advocate undertakes to serve a copy of the order to learned counsel for the petitioner. Learned Government Advocate would further submit that, if the petitioner is aggrieved by the said order, he has a remedy of appeal before the Commissioner of Prohibition and Excise under Rule 9A of the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003.

3. Since an order has been passed by the District Collector to shift the TASMAL shop in question, it is open to the petitioner to challenge the said order under Rule 9A of the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003.

4. With the above observation, the writ petition stands disposed of. There shall be no order as to costs. Consequently, W.M.P.No.22061 of 2024 is closed.

(D.K.K., ACJ.) (P.B.B, J.)
29.08.2024

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

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THE HON'BLE ACTING CHIEF JUSTICE
AND
P.B.BALAJI, J.

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