



W.P. No.38173 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.38173 of 2024

and

W.M.P.No.41293 of 2024

Teynampet Kudiyiruppoor Nala Sangam (Regd)
Rep. by its president
S.Muralidharan
Son of K.G.Shankar
No.79/54, Muthiah Mudali Street
Teynampet,
Chennai 600 086.

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Marketing Corporation
Limited (TASMAC)
4th Floor, CMDA Tower - II
Gandhi Irwin Road,
Egmore, Chennai 600 008.

2.The General Manager,
Tamil Nadu State Marketing Corporation
Limited (TASMAC)
4th Floor, CMDA Tower - II
Gandhi Irwin Road,
Egmore, Chennai 600 008.

3.The District Collector,
Rajaji Salai, Fourth Floor, 62,
Beach Road, George Town, Chennai,
Chennai 600 001.

... Respondents



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*(R3-Suo motu impleaded vide order
dated 16.12.2024 by MSQJ in
W.P.No.38173 of 2024)*

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondent herein from opening the retail liquor vending shop namely TASMALC shop in premises old No.240, New No.323, Babu Street, Teynampet, Chennai 600 086 which is proposed to be opened on 10.12.2024 pursuant to the representation of the petitioner dated 07.12.2024.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.K.Sathish Kumar,
Standing Counsel for R1 and R2.
Mr.P.Balathandayutham,
Special Government Pleader for R3.

ORDER

The present writ petition is filed praying for a writ of mandamus, directing the respondents to consider the representation dated 07.12.2024 wherein the petitioner has submitted that the proposed liquor outlet is situated within the restricted distance in terms of Rule 8 from Educational Institutions, Religious Institutions and a residential premise.

2. It is submitted by the learned counsel for the petitioner that a



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representation was submitted on 07.12.2024, requesting the respondents not to open the retail outlet. However, the same is yet to be considered, hence the present writ petition has been filed praying for a direction to consider and dispose of the representation.

3. It is submitted by the learned counsel for the respondents that the District Collector, Chennai is the appropriate authority to consider the representation.

4. In view thereof, the District Collector, Chennai is *suo motu* impleaded as a party. It is open to the petitioner to submit a representation before the District Collector. If any such representation is made, the same would be considered and orders would be passed in accordance with law after affording the petitioner a reasonable opportunity of hearing within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation, the concerned authority shall consider the representation on its own merits and in accordance with law.

5. Accordingly, the writ petition stands disposed of. There shall be no



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order as to costs. Consequently, connected miscellaneous petition is closed.

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Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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MOHAMMED SHAFFIQ, J.

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