



W.P.No.38685 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.38685 of 2024

and

W.M.P.Nos.41875 and 41876 of 2024

S.Sekar

...Petitioner

Vs.

1.The Commissioner of Prohibition and Excise,
Ezhilagam, Kamarajar Salai,
Chepauk,
Chennai.

2.The Managing Director,
Tamil Nadu State Marketing Corporation,
Gandhi Irwin Road,
Egmore,
Chennai.

3.The District Collector,
Chengalpet.

4.The District Manager,
Tamil Nadu State Marketing Corporation,
Kancheepuram (North) District,
Tiruvallur.

...Respondents



W.P.No.38685 of 2024

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus calling for the entire records in pursuant to the proceedings in Na.Ka.En.4089/A6/2014, dated 13.09.2024 on the file of the fourth respondent confirming the orders of the third respondent in Na.Ka.No.247/2024/VI dated 12.09.2024 and quash the same as illegal, incompetent, arbitrary, unconstitutional and consequently direct the respondents to reopen the TASMAC wine shop No.4089 situated in the property at No.1, VOC Street, Pikkankaranai, Chennai.

For Petitioner : Mr.Derrick Sam for
M/S.M.Manimaran

For Respondents : Mr.K.Balakrishnan,
Standing Counsel for R1, R2, R4.
Mr.P.Balathandayutham,
Special Government Pleader for R3.

ORDER

Though the present writ petition is filed challenging the impugned proceeding dated 13.09.2024, after submitting a brief while, the learned counsel for the petitioner seeks liberty of this Court to file a representation seeking re-opining of TASMAC Wine Shop No.4089 at VOC Street, Pikkankaranai, Chennai.



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2. The learned counsel for the respondents would submit that if any representation is filed, the same would be considered and orders would be passed within a period of four weeks, the same was agreed to by the learned counsel for the petitioner.

3. In view thereof, the writ petition stands disposed of. The petitioner is at liberty to file a representation if they are so advised within a period of 4 weeks from the date of receipt of a copy of this order. If any such representation is filed, 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. No costs.

17.12.2024

Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
shk

MOHAMMED SHAFFIQ, J.



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shk

To

1.The Commissioner of Prohibition and Excise,
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Chennai.

2.The Managing Director,
Tamil Nadu State Marketing Corporation,
Gandhi Irwin Road, Egmore, Chennai.

3.The District Collector,
Chengalpet.

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and

W.M.P.Nos.41875 and 41876 of 2024

4.The District Manager,
Tamil Nadu State Marketing Corporation,
Kancheepuram (North) District, Tiruvallur.
Nungambakkam, Chennai 600 034.

17.12.2024