



W.P(MD)No.20130 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.20130 of 2024

and

W.M.P(MD)Nos.17086 & 17087 of 2024

V.Koteeshwaran

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
CMDA Towers II, 4th Floor,
Egmore,
Chennai-600 018.

2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
No.100, Anna Nagar,
Madurai-625 020.

3.The District Manager,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorarified Mandamus, calling for the



W.P(MD)No.20130 of 2024

records relating to the impugned order in Na.Ka.No.876/2023/A5, dated 26.06.2024 on the file of the third respondent and set aside the same and permit the petitioner to continue operation of the license to operate Bar attached to TASMAL Retail Vending Shop No.8576 granted vide proceedings bearing Na.Ka.No.0876/2023/A5, dated 15.12.2023 and pass such further or other orders as this Court.

For Petitioner : Mr.R.Santhanam Rajesh Kumar

For Respondents : Mr.S.Sivanesan
Standing Counsel

ORDER

The present writ petition is filed challenging the order, dated 26.06.2024 on the limited ground that the petitioner's license to operate Bar attached to TASMAL Retail Vending Shop No.8576 granted vide proceedings bearing Na.Ka.No.0876/2023/A5, dated 15.12.2023.

2. The impugned order has been passed without even putting the petitioner on notice on the premise that though the petitioner could effect sales from 12.00 noon to 10.00 pm, the petitioner has effected sales illegally even before 12.00 noon, and thereby has violated clause 48(i) of the terms and conditions relating to the above license.



W.P(MD)No.20130 of 2024

WEB COPY

3. It is submitted by the learned Counsel for the petitioner that they were never put on notice for the alleged violation. Thereby, resulting in violation of principles of natural justice.

4. The learned Standing Counsel for the respondent would submit that the petitioner would be put on notice and fresh orders would be passed after hearing the petitioner.

5. Recording the same, the writ petition stands disposed of by setting aside the impugned order and directing the third respondent to issue a notice and grant reasonable opportunity of hearing to the petitioner before proceeding to pass orders in accordance with law. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

27.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



W.P(MD)No.20130 of 2024

WEB COPY To

- 1.The Managing Director,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
CMDA Towers II, 4th Floor,
Egmore,
Chennai-600 018.
- 2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
No.100, Anna Nagar,
Madurai-625 020.
- 3.The District Manager,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
Theni District.



WEB COPY



W.P(MD)No.20130 of 2024

MOHAMMED SHAFFIQ, J.

BTR

W.P(MD)No.20130 of 2024

27.08.2024