



WEB COPY

WP No. 48441 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-12-2025

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No.48441 of 2025 and WMP Nos.54086, 54089 & 54091 of 2025

M.Yuvaraj

Petitioner(s)

Vs

1. The Commissioner Of Prohibition
And Excise,
Ezhilagam, Kamarajar Salai, Chepauk,
Chennai.

2.The District Collector
Chengalpet District.

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

4.The District Manager
Tamil Nadu State Marketing
Corporation, Kancheepuram South
District.

Respondent(s)

PRAYER

calling for the entire records in pursuant to the proceedings in Na.Ka.No.79/2024/V1, dated 24.2.2025 passed by the 2nd respondent and quash the same as illegal, incompetent arbitrary, unconstitutional and further direct the respondents to reopen the TASMAC wine shop No.4106 situated in the petitioner property at No.148/Part, New Survey No.148/12, GST Road Kilambakkam village, Chengalpet District.



For Petitioner(s): Mr Singaravelan Senior Counsel
For Mr M.Manimaran

For Respondent(s): Mr Balathandayutham,
Spl.G.P. For R1 and R2
Mr.K.Balakrishnan
SC (TASMAC) For R3 and R4

ORDER

This writ petition has been filed, challenging the impugned order dated 24.02.2025 passed by the second respondent closing down the petitioner's TASMAC Shop bearing No.4106, situated in the property, morefully described in the prayer to this writ petition.

2.The petitioner has challenged the impugned order on the ground of violation of principles of natural justice. The petitioner claims that the reasons i.e. law and order problem given in the impugned order for closing down the petitioner's shop are arbitrary and false. The petitioner claims that even though the police report filed along with this writ petition states that there is no law and order problem, the second respondent under the impugned order has stated that there is a law and problem and on that ground, the second respondent has ordered to close down the petitioner's shop, which according to the petitioner is arbitrary and illegal. Being a law and order problem at the admission stage, this Court, without hearing the objections of the respondents cannot protect the interest of the petitioner.



3.Learned Senior Counsel appearing for the petitioner would submit that it would suffice if the representation of the petitioner dated 22.10.2025 seeking for re-opening of the shop is considered, on merits and in accordance with law, after giving an opportunity of hearing to the petitioner.

4.Learned Special Government Pleader appearing for the respondents 1 and 2 would submit that since the petitioner has not produced any acknowledgment for having served the representation dated 22.10.2025 on the respondents, the petitioner will have to give a fresh representation to enable the respondents to consider the same, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner.

5.For the foregoing reasons, this Court is not interfering with the impugned order for the present. However, to protect the interest of the petitioner as the petitioner claims that no untoward incident had happened in the surrounding areas where the TASMACH Shop is located and there is no law and problem and the petitioner also relies upon the police report, this Court deems it fit to permit the petitioner to give a fresh representation to the respondents seeking for re-opening of their TASMACH shop and for re-consideration of the impugned order dated 24.02.2025 passed by the second respondent, within a time frame to be fixed by this Court and to direct the second respondent to



consider the said representation, on merits and in accordance with law, after giving due consideration to the contents of the said representation as well as the supporting documents, within a time frame to be fixed by this Court, after affording a personal hearing to the petitioner.

6. For the foregoing reasons, this writ petition is disposed of by permitting the petitioner to submit a fresh representation to the second respondent seeking for re-consideration of the impugned order dated 24.02.2025 passed by the second respondent closing down the petitioner's shop, within a period of 1 week from the date of receipt of a copy of this order. On receipt of the said representation, the second respondent shall consider the same, on merits and in accordance with law, after affording a personal hearing to the petitioner within a period of four weeks thereafter. No costs. Consequently, connected WMPs are closed.

11-12-2025

vga



To

1. The Commissioner Of Prohibition
And Excise,
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Chennai.

2. The District Collector
Chengalpet District.

3. The Managing Director
Tamil Nadu State Marketing
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ABDUL QUDDHOSE J.

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