



W.P.(MD) No.66 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.66 of 2025
and
W.M.P.(MD) No.53 of 2025

Mariappan

.. Petitioner

Vs.

- 1.The Managing Director,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
Gandhi Ervin Bridge Road,
Egmore, Chennai-08.
- 2.The Regional Manager,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
Madurai Region, Plot No.100, Anna Nagar,
Sathamangalam,
Madurai-20.
- 3.The District Collector,
Dindigul District, Dindigul.
- 4.The District Manager,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
Office at Dindigul to Trichy National Highways,



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Mullipadi Post,
Dindigul District-624 005.

5.The Assistant Commissioner of Excise,
Dindigul District,
Dindigul.

6.Jeyapal

7.Vellaisamy

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, forbearing the 1st to 4th respondents from relocating or shifting the TASMAL Shop No.3392 from the Shop No.7/128, Koombur Village, Koombur to Dindigul Road, Gujiliyamparai Taluk, Dindigul District till the expiry of license period of the petitioner i.e. 31.12.2025.

For Petitioner	:	Mr.K.Navaneetharaja
For RR1, 2 & 4	:	Mr.H.Arumugam
For RR3 & 5	:	Mr.R.Suresh Kumar Additional Government Pleader

ORDER

This writ petition has been filed on the apprehension that the respondents may relocate the shop in which the petitioner has been



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licensed to run a bar as per the Tamil Nadu Liquor Retail Vending (In Shops and Bars) Rules, 2003 (hereinafter referred to as “the Rules”).

2. Today, on instructions, the learned counsel appearing for respondents 1, 2 and 4 would submit that there is no proposal to shift the shop, as the shop had been located in a place within the parameters provided under the Rules. However, the learned counsel for the petitioner would submit that a similar proposal was mooted out earlier and the petitioner has approached this Court in W.P.(MD) No.23630 of 2024, wherein a similar instruction was reported to this Court and recording the same, the said writ petition was dismissed by orders of this Court on 03.10.2024. After the disposal of the writ petition, it had come to the knowledge of the petitioner that the respondents again proposed to shift the shop to Koombur Village and that the Gramasaba of the said village has passed a resolution and had forwarded the same to the respondents not to locate a shop in their village by shifting the shop bearing Shop No.3392. Hence, he would submit that the apprehension is not a mere an apprehension, but is based upon facts.



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3. Even though the petitioner claims that there is an apprehension, it is well within the rights of respondents 1, 2 and 4 to relocate the shop after getting appropriate permission from the third respondent. In such event, in compliance with Condition No.2 of the licence that had been issued to the petitioner, the bar licence that had been given to the petitioner shall also be relocated and the petitioner be permitted to run the bar in the relocated place.

4. With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

08.01.2025

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

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K.KUMARESH BABU, J.

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