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W.P.No.22034 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 11.02.2026**

CORAM :

**THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE**

**W.P.No.22034 of 2025**

**and**

**W.M.P.No.24766 of 2025**

S.Sekar

... Petitioner

Vs.

1.Tamil Nadu State Marketing Corporation Ltd.(TASMAC),  
Rep. by the Managing Director,  
CMDA Tower, IV Floor, Gandhi Irwin Bridge Road,  
Thalamuthu Natarajar Maligai,  
Egmore, Chennai – 600 008.

2.The Senior Regional Manager,  
Tamil Nadu State Marketing Corporation Ltd,  
No.735, Anna Slai, Lla Building,  
4<sup>th</sup> Floor, Chennai – 600 002.

3.The Commissioner Prohibition,  
Commissionerate of Prohibitional and Excise Department,  
Government of Tamil Nadu,  
Chepauk, Chennai – 600 005.

4.The District Collector,  
Chengalpattu Colleeorate Building,  
Chengalpattu – 603 001.

5.The District Manager,  
Tamil Nadu State Marketing Corporation Ltd.,  
Kancheepuram (North) District,  
Kacheepuram District – 600 123.

... Respondents



W.P.No.22034 of 2025

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the 5<sup>th</sup> Respondent in Na.Ka.No.4089/A6/2025 dated 06.06.2025 confirming the orders of the 4<sup>th</sup> respondent in Na.Ka.No.247/2024/V1 dated 05.06.2025 and quash the same as arbitrary, unjust, whimsical and untenable and consequently, direct the 4<sup>th</sup> and 5<sup>th</sup> respondents to reopen the TASMACH shop No.4089 situated at survey No.220/9, Door No 1, V.O.C. Street, Pikkankarani, Tambaram Taluk, Chengalpattu District to ensure continued compliance of proceedings of the 4<sup>th</sup> Respondent in Na.Ka.247/2024/V1 dated 19.08.2024 and for consequential orders.

For Petitioner : Mr.Srinath Sridevan  
Senior Counsel  
for M/s.R.Sanjay

For Respondents : Mr.K.Balakrishnan  
Standing Counsel [R1, R2 & R5]  
Mr.P.Anandakumar  
Government Advocate [R3 & R4]

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### **ORDER**

This writ petition has been filed challenging the impugned orders, dated 05.06.2025 and 06.06.2025 passed by the respondents 4 and 5 respectively.

2. Under the impugned orders, the petitioner's TASMACH shop morefully disclosed in the prayer to this writ petition has been ordered to be closed temporarily by the respective respondents. The petitioner has challenged the



same on the ground of violation of the principles of natural justice. The petitioner claims that having been allowed to run the subject TASMAL shop, without notice the respondents 4 and 5 under the impugned orders have closed down the subject shop.

3. A counter has been filed by the 5<sup>th</sup> respondent stating that the TASMAL shop has been closed based on the representation given by the public. However, as seen from the impugned orders, it is clear that no notice was given to the petitioner, who was running the subject TASMAL shop prior to passing of impugned orders. The said fact is also not disputed by the respective learned counsels appearing for the respondents 4 and 5.

4. Since the petitioner was earlier running the TASMAL shop, the official respondents ought to have given prior notice to him before passing the impugned orders. Having obtained license to run the TASMAL shop, necessarily, the respondents 4 and 5 ought to have issued notice to him prior to passing the impugned orders. Since the impugned orders are passed in violation of the principles of natural justice and are non-speaking orders with regard to the contentions raised by the petitioner in this writ petition, necessarily, the impugned orders will have to be quashed and the matter has to be remanded



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back to the 4<sup>th</sup> respondent for fresh consideration on merits and in accordance with law, within a time frame to be fixed by this Court, after giving opportunity of hearing to the petitioner as well as all other necessary parties, whom the 4<sup>th</sup> respondent deems it fit to enquire and also to the complainant, who had given a representation for the closure of the subject TASMACH shop.

5. This Court is not expressing any opinion on the merits of the respective contentions.

6. For the foregoing reasons, since the impugned orders have been passed in violation of the principles of natural justice and the same are non-speaking orders, the impugned orders passed by the respective respondents dated 05.06.2025 and 06.06.2025 are hereby quashed and the matter is remanded back to the 4<sup>th</sup> respondent for fresh consideration on merits and in accordance with law on the representation given by the public seeking for closure of the petitioner's TASMACH shop morefully disclosed in the prayer to this writ petition, after hearing both the petitioner as well as the complainant and any other necessary party, whom the 4<sup>th</sup> respondent deems it fit to enquire, within a period of four (4) weeks from the date of receipt of a copy of this order.



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7. With the aforesaid direction, this Writ Petition is disposed of. No

costs. Consequently, the connected miscellaneous petition is closed.

**11.02.2026**

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes/No

sp

To

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**ABDUL QUDDHOSE, J.**

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