

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.05.2020

CORAM

THE HON'BLE DR.JUSTICE VINEET KOTHARI
AND
THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition Nos.7589 to 7593 of 2020

W.P.No.7589/2020

G.Rajesh

Petitioner

Vs.

1. The State of Tamil Nadu,
rep. by its Chief Secretary,
Secretariat,
Government of Tamil Nadu,
Fort St. George
Chennai 600 009.

2. Chairman cum Managing Director,
Tamil Nadu State Marketing Corporation Limited,
CMDA Tower-II, IV Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai 600 008.

Respondents

Petition under Article 226 of the Constitution of India praying for a writ of Mandamus restraining the Respondents from opening the State-run liquor outlets (TASMAC Outlets) in the State of Tamil Nadu till such time the Covid-19 Lockdown is in force.

W.P.No.7590/2020

V.Munikrishnan

Petitioner

Vs.

1. The State of Tamil Nadu,
rep. by its Secretary,
Home Department, Secretariat,
Chennai 600 009.
2. The Chairman,
Tamil Nadu State Marketing Corporation Limited,
(TASMAC)
CMDA Tower-II, IV Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai 600 008.
3. The Secretary to the Government,
Health and Family Welfare Department,
Secretariat, Chennai 600 009. Respondents

Petition under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus to call for the records relating to the order of the 2nd Respondent in Press Release No.311 dated 4.5.2020 and quash the same, consequently restraining the respondents from opening the TASMAC shop till lifting the lockdown due to CORONAVIRUS or COVID-19 pandemic.

W.P.No.7591/2020

G.Uma Maheswari

Petitioner

सत्यमेव जयते Vs.

1. The Government of Tamil Nadu,
rep. by its Chief Secretary,
Fort St. George,
Chennai 600 009.
2. The Chairman,
Tamil Nadu State Marketing Corporation Limited,
(TASMAC)
CMDA Tower-2, 4th Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai 600 008.

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3. The Managing Director, ,
Tamil Nadu State Marketing Corporation Limited,
(TASMAC)
CMDA Tower-2, 4th Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai 600 008.

Respondents

Petition under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus to call for the Circular No.311 dated 4.5.2020 issued by the 1st respondent and to quash the same and consequently restraining the respondents from opening the TASMAC shop in the entire State of Tamil Nadu based on the above said Circular until lockdown completely recalled.

W.P.No.7592/2020

V.G.Natarajan

Petitioner

Vs.

1. The Chief Secretary,
Government of Tamil Nadu,
St. George Fort,
Chennai 600 009.
2. The Secretary,
State of Tamil Nadu,
Home, Prohibition & Excise Department,
Fort St. George, Chennai 600 009.
3. The Secretary,
Health and Family Welfare Department,
Governemnt of Tamil Nadu,
Secretariat, Chennai 600 009.
4. The Secretary,
Department of Informatiion and Public Relations,
Governemnt of Tamil Nadu,
Secretariat, Chennai 600 009.
5. The Director General of Police,

Kamarajar Salai, Mylapore, Chennai 600 004.

6. The Director,
Directorate of Public Health and Preventive
Medicine,
Health and Family Welfare Department,
Teynampet, Chennai 600 006.
7. The Secretary to Government,
Municipal Administration Department,
Governemnt of Tamil Nadu,
Fort St. George, Chennai 600 009.
8. The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai 600 003.
9. The Commissioner of Police,
Greater Chennai Police,
Office of the Commissioner of Police,
Vepery, Chennai 600 007.
10. The Chairperson,
The Tamil Nadu State Marketing
Corporation Limited,(TASMAC)
CMDA Tower-II, IV Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai 600 008.
11. The Managing Director, ,
Tamil Nadu State Marketing Corporation Limited,
(TASMAC)
CMDA Tower, Egmore,
Chennai 600 008.

Respondents

Petition under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus calling for the records pertaining to the Press Release/Notification No.311 dated 4.5.2020 issued by the 4th Respondent to reopen the TASMAC Liquor Shops from 7.5.2020 in the State of Tamilnadu and quash the same and consequently direct the 2nd, 10th and 11th Respondents to reopen TASMAC Liquor Shops in the State of Tamilnadu only after pandemic of COVID-19 is brought under control.

W.P.No.7593/2020

S.Mahalakshmi @ Amirtha

Petitioner

Vs.

1. The Union of India,
rep. by its Home Secretary,
North Block, New Delhi 110 007.

2. The State of Tamil Nadu,
rep. by its Health Secretary,
Secretariat,
Fort St. George, Chennai 600 009.

3. The Director,,
Information and Public Relations Department
Secretariat, Fort St. George, Chennai 600 009.

Respondents

Petition under Article 226 of the Constitution of India praying for a writ of Declaration to declare the decision taken by the 1st Respondent in his order dated 1.5.2020 and the 3rd respondent in his proceedings dated 4.5.2020 to reopen the liquor shops during the lockdown period is illegal, void ab-initio and contrary to its own regulations to prevent and control of COVID 19 pandemic.

For Petitioner in W.P.No.7589/2020 : Ms.Y.Kavitha
For Petitioner in W.P.No.7590/2020 : Mr.E.Sathyaraj
For Petitioner in W.P.No.7591/2020 : Mr.S.Veeraraghavan
For Petitioner in W.P.No.7592/2020 : Mr.V.Vasanthakumar
For Petitioner in W.P.No.7593/2020 : Mr.S.Jimraj Milton

For Respondents : Mr.Vijay Narayan, Advocate General
Mr.S.R.Rajagopal Additional Advocate General
assisted by
Mr.V.Jayaprakash Narayanan, Governemnt Pleader
for State

Mr.Sathish for TASMACH

ORDER

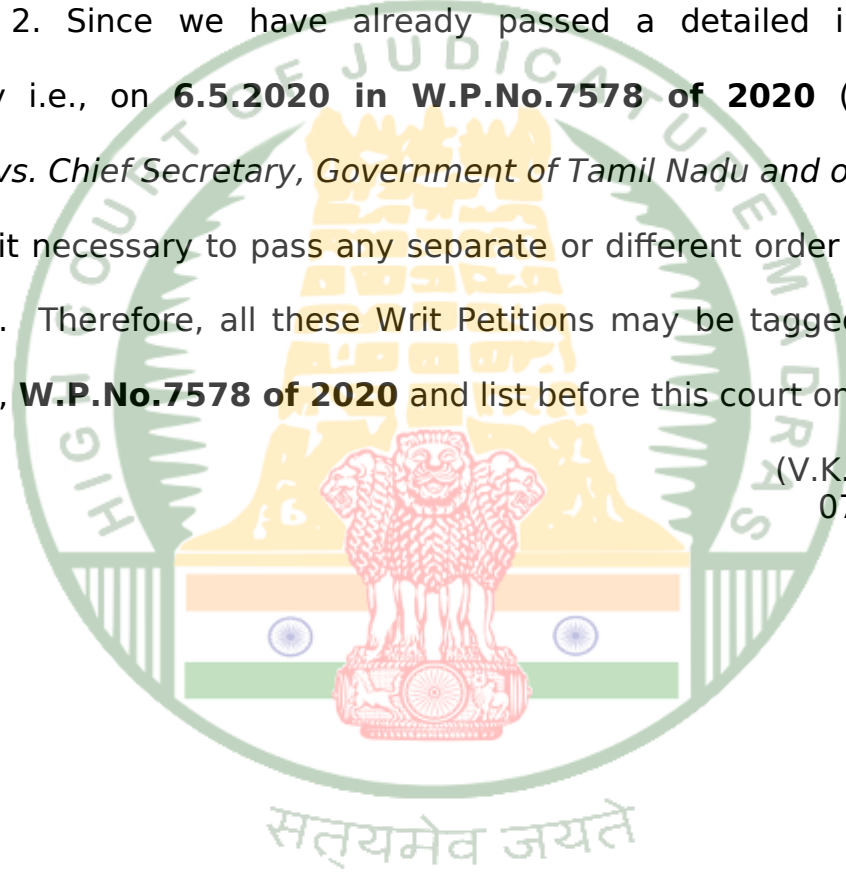
(Made by Dr.Vineet Kothari,J)

A common order is being passed since these Writ Petitions relate to re-opening of TASMAL Shops for sale of Liquor starting from 7th May 2020.

2. Since we have already passed a detailed interim order yesterday i.e., on **6.5.2020 in W.P.No.7578 of 2020** (*B.Ramkumar Adityan vs. Chief Secretary, Government of Tamil Nadu and others*), we do not find it necessary to pass any separate or different order in these Writ Petitions. Therefore, all these Writ Petitions may be tagged to the lead case viz., **W.P.No.7578 of 2020** and list before this court on **14.5.2020**.

(V.K.J.) (P.S.N.J.)
07.05.2020

ssk.



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Dr.VINEET KOTHARI,J,
and
PUSHPA SATHYANARAYANA,J

ssk.



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