



WA No. 2787 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

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CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

WA No. 2787 of 2024

C. Jegan
S/o. Chinna Thambi, No.41,Ambedkar
Nagar, Kondasamuthiram, Gudiyatham
T.K.Vellore Dt.

Appellant(s)

Vs

1. The Managing Director
TamilNadu State Marketing
Corporation Ltd,(TASMAC)
Thalamuthu Natarajan Maaligai, 4th
floor, CMDA building, Tower-II,
Chennai-600 008

2.The Senior Regional Manager
TamilNadu State Marketing
Corporation
Ltd(TASMAC),56,Bhirunthavanam
Salai, Azhagapuram, Salem -16

3.The District Manager
TamilNadu State Marketing
Corporation Ltd(TASMAC)IMFS
Deport, 39/4,Filter bed road,
Vellore-632 001

Respondent(s)

PRAYER

Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order in WP No.20082/2018 dated 14.06.2022 and thereby allow the Writ Appeal.



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For Appellant(s): Mr.L.Chandrakumar
For Mr. B.Sundarapandiyan

For Respondent(s): Mr. K Balakrishnan, Standing
Counsel For RR 1 To 3.

Mr.U.M.Ravichandran,
Spl. Govt. Pleader for R4.

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The learned counsel for the appellant would submit that the allegation against the appellant was that he had collected a sum of Rs.5/- per beer bottle over an above the maximum retail price (MRP) and the said amount has been recovered by way of fine as per the circular issued by TASMAL. This is the usual practice adopted and the excess amount collected from the consumers are deposited in the TASMAL account. Therefore, TASMAL itself is misappropriating the amounts of the consumers by encouraging the salesmen to recover excess amount over and above the MRP.

2. The collection of amount over and above the MRP is an offence under the provisions of the statute. The learned Standing Counsel would submit that a revised regulation was issued in the year 2023 and as of now no excess amount is collected from the consumers.

3. However, in this regard the Managing Director, TASMAL has to file a clear affidavit along with the relevant provisions of the Act and Rules as well



as the circulars issued to the TASMAC shops across the State and the action taken against excess collection and the procedures followed are also to be clearly stated in the affidavit. Managing Director, TASMAC/ 1st responded is directed to file a detailed affidavit in this regard.

4. The Principal Secretary to the Government, Prohibition and Excise Department, Fort St. George, Chennai is *suo motu* impleaded as 4th respondent.

5. Mr.U.M.Ravichandran, learned Special Government Pleader takes notice for the newly impleaded respondent.

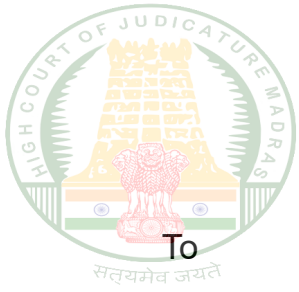
6. The learned counsel for the appellant Mr.L.Chandrakumar, undertakes to serve a copy of the papers to the Special Government Pleader.

7. The Principal Secretary to the Government/ 4th responded is also directed to file an affidavit in this regard.

8. List the matter for filing counter affidavit on 29.01.2026.

**(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)
19-01-2026**

dsa



To

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AND
C.KUMARAPPAN J.**

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