



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2017

CORAM

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THE HONOURABLE MR. JUSTICE R. MAHADEVAN**W.P(MD) No.15765 of 2017**

V. Palaniappan

... Petitioner

-vs-

1. The Principal Secretary to Government,
Prohibition and Excise Department,
Fort St. George, Chennai.

2. The Commissioner,
Prohibition and Excise Department,
Ezhilagam, Chepauk,
Chennai.

3. The Assistant Commissioner (Excise),
Theni.

4. The Manager,
TASMAC,
Theni.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 19.06.2017 and consequently direct them to repay the amount of Rs. 2 Lacs paid by the petitioner towards security deposit for running wine shop in Shop No.59/2001-2002 attached with the Bar in License No.57/2002 at Surali Road, Kamaya Goundan Patti from the period 2001- 2002 and 2002-2003 .

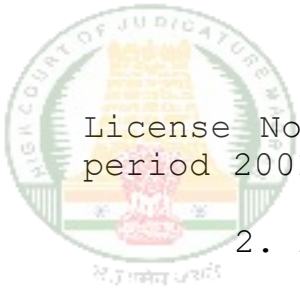
For Petitioner: Mr.C.Muthusaravanan

For R1 to R3 : Mr.J.Gunaseelan Muthiah
Govt. Advocate

For R4 : Mr.B.Jameel Arasu

O R D E R

This writ petition has been filed, seeking a direction to the respondents to consider the petitioner's representation dated 19.06.2017 and consequently direct them to repay the amount of Rs. 2 Lacs paid by the petitioner towards security deposit for running the wine shop in Shop No.59/2001-2002 attached with the Bar in



License No.57/2002 at Surali Road, Kamaya Goundan Patti from the period 2001- 2002 and 2002-2003.

2. Heard the learned counsel for the parties.

3. It is submitted by the petitioner that he has submitted a representation dated 19.06.2017 to the third respondent for refund of Security Deposit, which was deposited in order to run the wine shop in Shop No.59/2001-2002, attached with the Bar in License No.57/2002 at Surali Road, Kamaya Goundan Patti from the period 2001- 2002 and 2002-2003. Since there was no response on his representation, he is before this Court with the above prayer.

4. At this juncture, the learned Government Advocate appearing for R1 to R3 has fairly submitted that the claim of the petitioner is under consideration by the third respondent.

5. Recording the said submission made by the learned Government Advocate, this petition is disposed of with a direction to the third respondent to pass appropriate orders on the representation of the petitioner dated 19.06.2017 on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To:

1. The Principal Secretary to Government,
Prohibition and Excise Department,
Fort St.George, Chennai.
2. The Commissioner,
Prohibition and Excise Department,
Ezhilagam, Chepauk, Chennai.
3. The Assistant Commissioner (Excise), Theni.

+1cc to M/S.C.MUTHU SARAVANAN, Advocate SR.No.74994
+1cc to M/S.B.JAMEEL ARASU, Advocate SR.No.75282
+1cc to Special Government Pleader, SR.No. 75349

ar/rm

MAS/MR-KKR/SAR1:07.09.2017:2P-7C

W.P(MD) No.15765 of 2017
29.08.2017