



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.1860 of 2018

M.Nagarajan

... Petitioner

-Vs-

1.The Managing Director,
Tamil Nadu State Marketing
Corporation Limited (TASMAC),
Gandhi Irwin Road,
C.M.D.A.Buildings,
Egmore, Chennai-600 008.

2.The Senior Regional Manager,
Tamil Nadu State Marketing
Corporation Limited (TASMAC),
Plot No.100, Anna Nagar,
Madurai-625 020.

3.The District Manager,
Tamil Nadu State Marketing
Corporation Limited (TASMAC),
Thondi Road, Sivagangai.

... Respondents

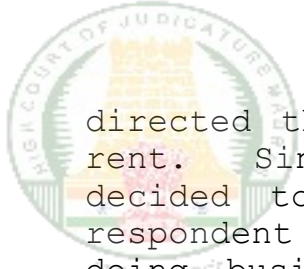
PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents herein to refund two months license fee paid in advance along with EMD amount and also to accept the request for surrender made by the petitioner herein within the time limit fixed by this Hon'ble Court.

For Petitioner	: Mr.R.Ragavendran
For Respondents	: Mr.H.Arumugam

ORDER

The Writ Petition has been filed, seeking a direction to the respondents to refund the two months license fee paid by the petitioner along with earnest money deposit amount, and also to accept the petitioner's request for surrender the licence within the time limit fixed by this Court.

2.According to the petitioner, he was granted with a licence to run a bar and selling eatables and collection of bottles in respect of Shop No.7740 and he has also paid two months licence fees in advance along with earnest money deposit and the respondents



directed the petitioner to pay a sum of Rs.1,08,100/- as monthly rent. Since the petitioner's shop was running in loss, he has decided to surrender the licence and he approached the third respondent to accept the surrender. The petitioner has also stopped doing business from 30.12.2017. In the mean time, the third respondent has issued a notice dated 03.01.2018 directed the petitioner to pay a sum of Rs.65,906/- towards the licence fees and in absence, his licence will be cancelled. In the said circumstances, the petitioner made a representation to the third respondent on 03.01.2018 requesting to accept the surrender, and the third respondent also orally accepted his surrender and assured to repay the advance amount. But, so far, he has not passed any order, hence, the present writ petition has been filed with the above prayer.

3.The learned counsel appearing for the respondents submitted that even though the petitioner has contended that he submitted a representation, so far, no representation or objection was received by the respondents.

4.Considering the facts and circumstances of the case, the petitioner is directed to submit his objections before the third respondent, for the notice dated 09.01.2018, and on submitting of such objections, the third respondent is directed to consider the same and pass suitable orders on merits and in accordance with law, within a period of four weeks thereafter.

5.Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

+1cc to Mr.R.RAGAVENDRAN,Advocate,SR.45591

+1cc to Mr.H.ARUMUGAM,Advocate,SR.45447

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MYR

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