

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2019

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.47924 of 2006

G.Chandrasekaran

...Petitioner

Vs

1.State of Tamil Nadu,
Represented by the Secretary to Government,
Department of Prohibition and Excise,
Fort St. George,
Chennai-600 009.

2.The Additional Superintendent of Police,
Crime (Additional Charge),
Prohibition Wing,
Kancheepuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, declaring Section 14(4) of the Tamil Nadu Prohibition Act, 1937, inserted by Tamil Nadu Prohibition (Second Amendment) Act, 1990, Tamil Nadu Act 24 of 1990 and the order of the second respondent dated 29.11.2006, bearing ref. Na.Ka.No.216/ASP/Pro./Kanchi/2006 as illegal and unconstitutional.

For Petitioner : Mr.T.Sai Krishnan
for M/s.Sai & Bharath.

For Respondents: Mr.M.Elumalai,
Government Advocate.

O R D E R

The learned counsel, appearing on behalf of the writ petitioner, states that during the pendency of the writ petition, the case of the writ petitioner was considered and the vehicle confiscated was released by the authorities by paying the penalty amount. However, in respect of the criminal case, it is left open to the writ petitioner to prove his innocence or otherwise by establishing his case before the Competent Court of Law.

2. As far as the release of vehicle is concerned, it was already redressed and no further adjudication needs to be entertained in respect of the grounds raised in the present writ petition.

3. Accordingly, the writ petition stands closed. However, there shall be no order as to costs.

Svn

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary to Government,
State of Tamil Nadu,
Department of Prohibition and Excise,
Fort St. George,
Chennai-600 009.
- 2.The Additional Superintendent of Police,
Crime (Additional Charge),
Prohibition Wing,
Kancheepuram District.

+1CC to M/s.Sai & Bharath, Advocate,SR.No.8409

WP No.47924 of 2006

rk(CO)
kak(26/02/2019)