

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated : 21.08.2019
Coram
THE HONOURABLE MR. JUSTICE M.SUNDAR
W.P.No.24411 of 2019
and W.M.P.Nos.24144, 24146 and 24148 of 2019

BENZ VACCATIONS CLUB
Rep. By its Secretary
A.Thanajayam
S/o.Arumugam
Having office at
No.781, Rayala Towers II Floor
Anna Salai, Chennai - 600 002

.. Petitioner

vs.

1. The Managing Director
Tamil Nadu State Marketing Corporation Ltd.,
4th Floor
Thalamuthu Natarajan Maligai
Egmore, Chennai - 8
2. The Commissioner
Prohibition and Excise Department
Chepauk, Chennai
- 3.The Revenue Divisional Officer
South Chennai Division
Guindy, Chennai

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the entire records in pursuant to order of 3rd respondent in Proc.No.A2/3835/2019 dated 29.07.2019 and quash the same as illegal, arbitrary and unjust to law consequently direct the 3rd respondent to issue Form -D Certificate, building licence to the petitioner enabling the petitioner to run the bar without any hindrances and sales of liquors in the petitioner premises.

For Petitioner : Mr.M.Manimaran

For Respondent : Mr.S.Kousik

for Mr.K.Sathish Kumar

Standing Counsel for TASMAL (R1)

Mr.R.P.Pratap Singh

Government Advocate for R2 and R3

ORDER

Mr.M.Manimaran, learned counsel on record for writ petitioner is before this Court. Mr.S.Kousik, learned counsel representing Mr.K.Sathish Kumar, learned Standing Counsel for TASMAC, accepts notice on behalf of first respondent and Mr.R.P.Pratap Singh, learned Government Advocate accepts notice on behalf second and third respondent.

2.After some arguments, learned counsel for writ petitioner sought leave to withdraw this writ petition, but made a request that rights of the writ petitioner to prefer an appeal to the District Collector may be preserved.

3. Learned counsel has made an endorsement in the case file, which reads as follows:

'I may be permit to withdraw and file a statutory appeal.

Sd/-

21.09.2019

(M.MANIMARAN) '

4. Endorsement is reiterated in the hearing today.

5. In the light of the endorsement and reiteration of the same, this writ petition is dismissed as withdrawn albeit preserving the rights of the writ petitioner to prefer an appeal before the District Collector against the impugned order. Though obvious, it is made clear that all questions raised in the instant writ petition are left open. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Managing Director
Tamil Nadu State Marketing Corporation Ltd.,
4th Floor
Thalamuthu Natarajan Maligai
Egmore, Chennai - 8

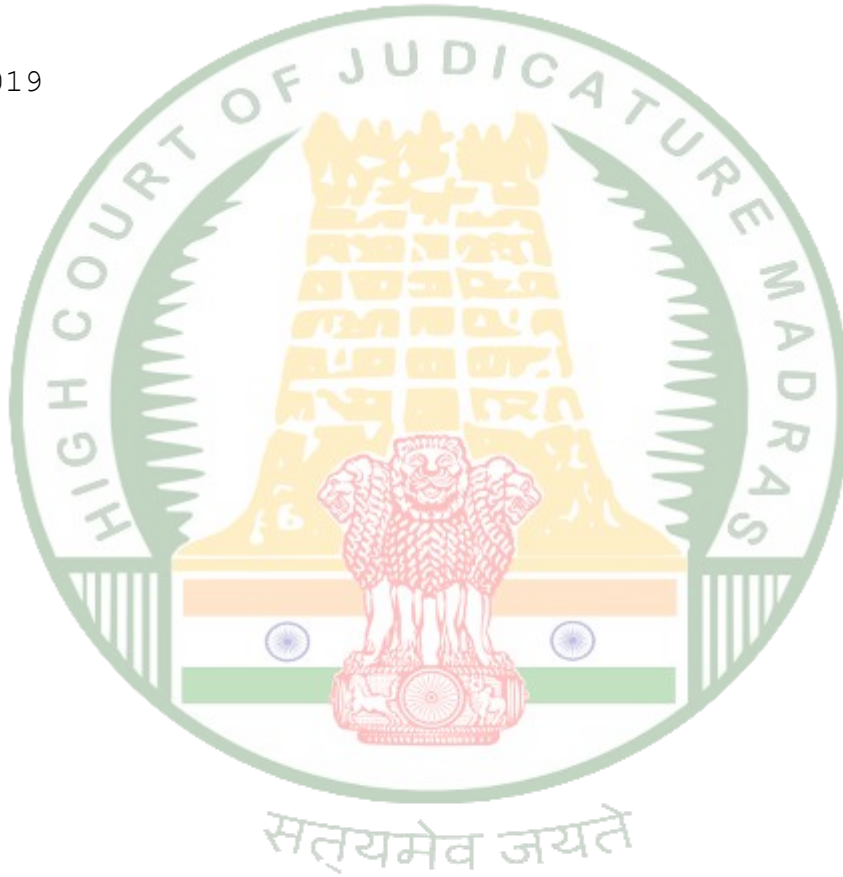
2. The Commissioner
Prohibition and Excise Department
Chepauk, Chennai

3.The Revenue Divisional Officer
South Chennai Division
Guindy, Chennai

+1 cc to Mr.M.Manimaran Advocate sr72382
+1 cc to Government Pleader sr72156

W.P.No.24411 of 2019
and W.M.P.Nos.24144, 24146 and 24148 of 2019

mr(co)
aa19/09/2019



WEB COPY