

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:04.02.2019

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

Writ Petition No.29291 of 2018

and

WMP. Nos.34235 & 34237 of 2018

P.Navaneetham

.... Petitioner

Vs.

1.The District Collector,
Kancheepuram,
Kancheepuram District.

2.The District Manager, TASMAC
Thirumalzhisai Unit III,
No.1, Bangalore Highways Road,
Sembarabakkam Village,
Thiruvallur District.

3.The Chief Executive Officer,
Cantonment Board,
No.33, N.Parade Road,
Chakrapani Colony,
St.Thomas Road,
Chennai - 600 016.

.... Respondents

PRAYER: PETITION filed under Article 226 of the Constitution of India praying for the issuance of writ of Certiorarified Mandamus to call for the impugned order dated 20.09.2018 affixed on the petitioner's premises at Shop No.4119, Door No.86C, Srinivasaperumal Kovil Street, Cantonment Pallavaram, Chennai quash the same and consequently direct the 3rd respondent to desal the premises.

For Petitioner : Mr.T.Shanmugam

For Respondents : Mr.R.Venkatesh, AGP for R1
Mr.P.Arumugarajan for R2/TASMAC
Mr.C.Mohan for M/s.King & Patridge
for R3

O R D E R

Learned counsel for the petitioner seeks permission of this Court to withdraw the Writ Petition and has made an endorsement to that effect.

2. Learned counsel for the cantonment Board/R3 brings to the notice of this Court an order passed in WP. No.28090 of 2018 in respect of the same Wine Shop as in issue in this Writ Petition bearing No.4119, Door No.86C, Srinivasaperumal Kovil Street, Cantonment Pallavaram, Chennai filed by a third party wherein, this Court, recording the following resolution passed by the Cantonment Board dated 10.12.2012, has closed the writ petition.

"... RESOLUTION 12: The Board resolved not to issue trade licence to TASMAL liquor shops, being run by the State Government. Further resolved that action as per provision of Cantonment Act 2006 be taken for running shops without valid trade licence, since these shops are being nuisance to the public."

3. Likewise, the present Writ Petition is also closed, recording the above resolution in terms of which the Wine Shop in question has been closed. It is make it clear that this order does not stand in the way of parties agitating their rights in further proceedings in accordance with law. Consequently, the connected Miscellaneous Petitions are also closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rkp

To

1.The District Collector,
Kancheepuram,
Kancheepuram District.

2.The District Manager, TASMAL
Thirumalzhisai Unit III,
No.1, Bangalore Highways Road,
Sembarabakkam Village,
Thiruvallur District.

3.The Chief Executive Officer,
Contonment Board,
No.33, N.Parade Road,
Chakrapani Colony,
St.Thomas Raod,
Chennai - 600 016.

+1cc to Mr.T.Shanmugam, Advocate, S.R.No.9835
+1cc to Mr.P.Arumugarajan, Advocate, S.R.No.9497
+1cc to M/s.King and Partridge, Advocate, S.R.No.9392

W.P. No.29291 of 2018

GJII(CO)

rrs 28/02/2019



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