

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.12.2020
CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 24775 of 2017
and
W.M.P. No. 26159 of 2017

D.Baskaran

... Petitioner

-VS-

1. The Commissioner (i/c),
Prohibition and Excise Department,
Chepauk,
Chennai - 600 005.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. The Assistant Commissioner (Excise),
Prohibition and Excise Department,
Collectorate,
Kancheepuram.
4. The Senior Regional Manager,
TASMAC,
Kancheepuram,
Kancheepuram District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to extend the benefits of the communication issued by the First Respondent in his letter No. P & E 2(4)/12740/2016 dated 01.09.2017 for reopen the Petitioner's bar and permit room situated at Vinayaga Friends Association, No. 388/14, Thuraipakkam - Pallavaram - 200 Feet Road, Kovilambakkam, Chennai - 129 consequently directing the Fourth respondent to supply the liquors to the Petitioner's Vinayaga Friends Association.

For Petitioner : No appearance

For Respondents : Mr. N. Inbanathan,
Additional Government Pleader (for R1 to R3)

Mr. K.Sathish Kumar,
Standing Counsel (for R4)

O R D E R
(through video conference)

There is no representation for the Petitioner when the matter is called at 10.44 a.m. and 1.25 p.m.

2. This Court during the earlier hearing on 08.10.2020 had passed the following self-explanatory order:-

" The grievance sought to be ventilated by the Petitioner is that there has not been any response to his representation dated 07.09.2017 to extend the benefits given to bar and permit rooms within the limits of Municipal Corporation to those situated in villages also, like that of the Petitioner in this case.

2. The Respondents shall file a report of the action taken on the said representation, within two weeks.

Post the matter under the caption 'Prohibition and Excise Cases' after four weeks."

In furtherance to that order, Learned Additional Government Pleader appearing for the First to Third Respondents has brought to notice that Order No. K.DIS. P & E(2)/4199/2017 dated 30.07.2018 had been passed by the First Respondent on the application dated 24.03.2017 made by the Petitioner seeking the same relief and its copy has been produced, which is placed on record. In view of the subsequent events, nothing remains for further consideration in this Writ Petition. It is made clear that the Petitioner is not precluded from working out his rights, if he is still aggrieved, before the proper forum in the manner recognized by law.

The Writ Petition is disposed with the aforesaid clarification. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS)
//True Copy//
Sub Assistant Registrar

vjt
To

1. The Commissioner (i/c),
Prohibition and Excise Department,
Chepauk,
Chennai - 600 005.

2. The District Collector,
Kancheepuram District,
Kancheepuram.

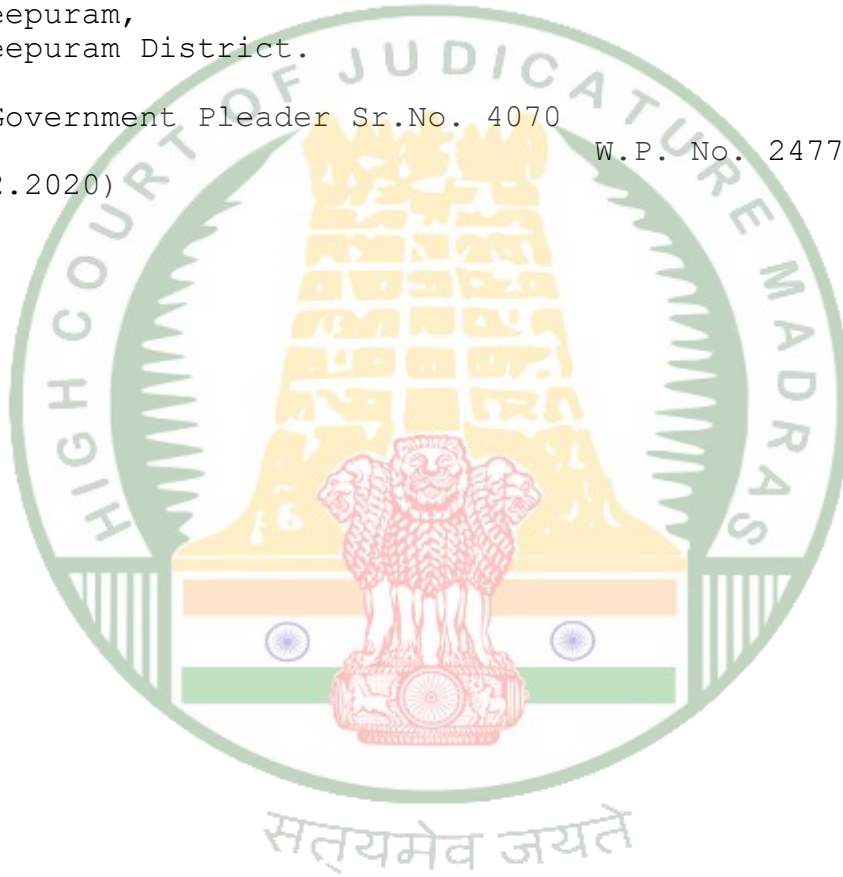
3. The Assistant Commissioner (Excise),
Prohibition and Excise Department,
Collectorate,
Kancheepuram.

4. The Senior Regional Manager,
TASMAC,
Kancheepuram,
Kancheepuram District.

+1 cc to Government Pleader Sr.No. 4070

W.P. No. 24775 of 2017

A.Sk(23.12.2020)



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