



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 26.06.2020

CORAM:

THE HONOURABLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. (MD) No. 7034 of 2020

and

W.M.P. (MD) Nos. 6464 and 6465 of 2020

(Through Video Conference)

S. Muniyappan

... Petitioner

vs.

The District Manager,  
Tamilnadu State Marketing Corporation Ltd., (TASMAC)  
Dindigul District.

... Respondent

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, praying to call for the records of the respondent office pertaining to the impugned order, dated 22.05.2020 passed by the respondent in his Na.Ka. Proceedings No. 166/2020/A-6 and quash it as illegal.

For Petitioner

: Mr. K. Kathiresan

For Respondent

: Mr. H. Arumugam

Standing Counsel for TASMAC

**O R D E R**

Heard Mr. K. Kathiresan, Learned Counsel for the Petitioner and Mr. H. Arumugam, Learned Standing Counsel, who takes notice for the Respondent through video conference and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition challenges the order in Na.Ka. No. 166/2020/A-6 dated 22.05.2020 passed by the Respondent requiring the Petitioner to remit a sum of Rs. 3,08,532/- as penalty for the unaccounted sale of liquor stocks.

3. Learned Standing Counsel appearing for the Respondent, on instructions, states that the Managing Director of Tamilnadu State Marketing Corporation Ltd., has issued a circular dated 22.06.2020, directing all the District Managers to recall the penalty order dated 22.05.2020 and issue fresh show cause notice and pass orders in accordance with law, and in view of the same, the impugned order in this Writ Petition, which is one of such orders, stands recalled. He has also filed a memo to this effect, which is placed on record.



4. It is made clear that after issuing show cause notice and receipt of explanation from the Petitioner, the Respondent shall afford full opportunity of personal hearing to the Petitioner following the prescribed procedure of enquiry and consider each of the contentions raised by him and pass reasoned orders on merits in accordance with law, and shall communicate the decision taken under written acknowledgment.

5. Accordingly, the Writ Petition is disposed on the aforesaid terms. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sj/Ls

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

The District Manager,  
Tamilnadu State Marketing Corporation Ltd., (TASMAC)  
Dindigul District.

W.P. (MD) No. 7034 of 2020  
(Through Video Conference)  
26.06.2020

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