



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE P.D. AUDIKESAVALU

W.P. (MD) No. 7037 of 2020
and
W.M.P. (MD) No.6468 of 2020

(Through Video Conference)

P.Sureshkannan

... Petitioner

vs.

The Deputy Collector / District Manager,
Tamilnadu State Marketing Corporation,
(TASMAC), Sivagangai,
Sivagangai District.

... Respondent

Prayer: Writ Petition is filed under Art 226 of the Constitution of India to issue a Writ of Certiorari, praying to call for the records relating to the impugned order passed by the respondent in Na.Ka.No.A1/434/2020, dated 19.05.2020 and quash the same.

For Petitioner

: Mr. N.Tamilmani

For Respondent

: Mr. H.Arumugam
Standing Counsel for TASMAC

O R D E R

Heard Mr. N.Tamilmani, 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.A1/434/2020, dated 19.05.2020 passed by the Respondent requiring the Petitioner to remit a sum of Rs.8,30,794/- 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 19.05.2020 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 Petition is closed. No costs.

Sd/-

Assistant Registrar

// 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 Deputy Collector / District Manager,
Tamilnadu State Marketing Corporation,
(TASMAC), Sivagangai,
Sivagangai District.

W.P. (MD) No. 7037 of 2020
(Through Video Conference)
26.06.2020

CS (02.07.2020) 2P 2C