



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2022

CORAM:

THE HONOURABLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.NO.22 OF 2022
AND
C.M.P.NO.307 OF 2022

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S.Ramasamy,
Proprietor,
Pals Restaurant,
No.3/306, Nehru Street,
Madipakkam, Chennai-600 091.

.. Appellant/
Writ Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by The Secretary to Government,
Home Department,
Fort St.George, Chennai.
2. The Commissioner of Police,
City Police Office, Vepery,
Chennai-600 007.
3. The Deputy Commissioner of Police (Admin),
Triplicane Range, Vepery,
Chennai-600 007.
4. The Assistant Commissioner of Police,
Triplicane Range, Chennai-600 005.
5. The Inspector of Police,
D.1 Triplicane Police Station,
Chennai-600 005.

.. Respondents



Prayer:

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 15.12.2021 passed by the learned Single Judge in W.P.No.328 of 2014 on the file of this Court.

Prayer in W.P.No.328 of 2014:

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, Calling for the records relating to Show Cause Notice No.Rc. No.E3(1)/8863/ 169709/ 2013 dated 01.12.2013 issued by the 2nd respondent and quash the same and consequently direct the 2nd respondent to issue renewal of public resort license under Chennai City Police Act 1888, forthwith to the petitioner to conduct Indian Cultural Dance at Pals Restaurant No.42 Anna Salai C.G.Complex Chennai-2 under the circumstances stated hereunder.

For appellant : Mr.AR.L.Sundaresan,
Senior Counsel for M/s.N.Naganathan

For respondents : Mr.P.Muthukumar,
State Govt. Pleader

JUDGMENT

(The Judgment of the Court was delivered by The Hon'ble Chief Justice)

The Writ Petition was filed to challenge the show cause notice dated 01.12.2013, but finding that rejection order was passed on 18.06.2021 during the pendency of the Writ Petition, the Court found that the cause did not exist as of now and accordingly, the Writ Petition was dismissed by the learned Single Judge. It is without giving liberty to take the remedy against the said order of rejection, dated 18.06.2021.

2. It is submitted that liberty be given in the present Writ Appeal to challenge the order dated 18.06.2021. We find that the cause in reference to show cause notice no more survived, as final order was passed on 18.06.2021. The appellant/writ petitioner is, however, given liberty to take remedy against the said order, dated 18.06.2021, if he so chooses, subject to the outcome of connected Writ Appeal in W.A.No.23 of 2022. The



present Writ Appeal in W.A.No.22 of 2022 is accordingly disposed of. No costs. Consequently, C.M.P. is closed.

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Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

CS

To

1. The Secretary to Government,
Home Department,
Fort St.George, Chennai.
2. The Commissioner of Police,
City Police Office, Vepery,
Chennai-600 007.
3. The Deputy Commissioner of Police (Admin),
Triplicane Range, Vepery,
Chennai-600 007.
4. The Assistant Commissioner of Police,
Triplicane Range, Chennai-600 005.
5. The Inspector of Police,
D.1 Triplicane Police Station,
Chennai-600 005.

+1cc to Mr.N.Naganathan, Advocate, S.R.No.13618
+1cc to Government Pleader, S.R.No14112(11/03/2022)

W.A.No.22 of 2022

GPL(CO)
PM/09/03/2022