



*W.P.No.32482 of 2022
and W.M.P.Nos.31904 & 32579 of 2022*

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2022

CORAM

THE HON'BLE Mr.JUSTICE M.SUNDAR

W.P.No.32482 of 2022
and
W.M.P.Nos.31904 & 32579 of 2022

Charles Money,
S/o.Joseph.

... Petitioner

-Vs.-

- 1.The District Manager, TASMACH,
Ambathur Industrial Estate.B.2,
Chennai South District,
Chennai 600 058.
- 2.The Managing Director, TASMACH,
4th Floor, Thazhamuthu Nadarajar Maligai,
Egmore, Chennai 600 008.
- 3.Senior Regional Manager, TASMACH,
Door No.735, LLA Building, 4th Floor,
Anna Salai, Mount Road, Chennai 600 009.
- 4.The District Collector,
Chennai District, Singaravelar Maligai,
4th Floor, Rajaji Salai, Chennai 600 001.

.. Respondents



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Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to close the functioning of TASMACH retail vending shop No.655 in and around Door No.52C(5A) Tharamani Annex 100 feet Road, Tharamani, Chennai 600 113.

For Petitioner : Mr.S.Balasubramanian,
for Mr.P.Singaram

For Respondents : Mr.K.Sathish Kumar
Standing Counsel for TASMACH,
for R1 to R3

Mr.T.K.Saravanan,
Government Advocate
for Mr.Vadivelu Deenadayalan,
Additional Government Pleader
for R4

ORDER

Matter mentioned at half past one.

2. Mr.P.Singaram, learned counsel on record for writ petitioner submits that the District Collector has passed an order on 09.12.2022 bearing reference ந.க.எண்.103/27697/2022.



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3. Mr.K.Sathish Kumar, learned standing counsel for the respondents 1 to 3 and Mr.T.K.Saravanan, learned Government Advocate representing Mr.Vadivelu Deenadayalan, learned Additional Government Pleader for the 4th respondent are before this Court and they also confirmed this obtaining position.

4. Learned counsel on record for writ petitioner has made an endorsement in the case file seeking leave to withdraw the captioned writ petitioner and a scanned reproduction of the same is as follows.

மாண்புமிகு 9/12/22
விரிவுரைக்கப்பட்டு
தொடர்ந்து
அவர் புகார்
ப. 9/12/22
கனல் லிபி

5. Learned counsel for writ petitioner seeks leave of this Court to preserve the rights of the writ petitioner to assail the order of the District Collector *inter alia* under Rule 9A of 'Tamil Nadu Liquor Retail Vending



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(In Shops and Bars) Rules, 2003' [hereinafter 'TN Liquor Vending Rules' for the sake of convenience and clarity]. Request acceded to.

6. Captioned Writ Petition is disposed of as closed/withdrawn albeit preserving the rights of the writ petitioner to assail aforementioned 09.12.2022 order of the District Collector. If the writ petitioner chooses to do the same, the Appellant Authority will consider the same on its own merits and in accordance with law, uninfluenced by this order as there is no expression of opinion or view on the merits of the matter in this order.

7. Captioned Writ Petition is disposed of in the aforesaid manner. There shall be no order as to costs. Consequently, W.M.P.Nos.31904 and 32579 of 2022 are disposed of as closed.

09.12.2022

Speaking/Non-speaking order

Index: Yes/No

Internet : Yes/No

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M.SUNDAR.J.,

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