



WEB COPY



W.P.No.33182 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2022

CORAM :

The Hon'ble Mr.JUSTICE M.SUNDAR

W.P.No.33182 of 2022
and
W.M.P.No.32595 of 2022
in
W.P.No.33182 of 2022

R.Rajalakshmi
W/o.Ramasamy

.. petitioner

Vs.

1. The District Collector
O/o.Ariyalur District Collectorate
Ariyalur.
2. The Managing Director
TASMAC Limited
CMDA Towers
Egmore, Chennai-600 008.
3. The District Manager
TASMAC Limited
Perambalur District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to not to close the TASMAC wine shop No.6467 situated in Survey No.24/2, situated at



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T.Palur Village, Ariyalur.

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For Petitioner : Mr.M.Manimaran
For Respondents : Mr.T.K.Saravanan
Government Advocate for R1
Mr.C.Ramesh
standing counsel for TASMAC
for R2 and R3

ORDER

After some arguments, Mr.M.Manimaran, learned counsel on record for writ petitioner sought permission to withdraw the captioned writ petition along with captioned 'Writ Miscellaneous Petition' ['WMP'] thereat.

2. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:



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3. Adverting to aforementioned endorsement and Rule 9 of 'Tamil Nadu Liquor Retail Vending (In Shops and Bars) Rules, 2003' [hereinafter 'TN Liquor Vending Rules' for the sake of convenience and clarity] being Rules made under 'Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937)' [hereinafter 'TN Prohibition Act' for the sake of convenience and clarity] i.e., Rule 9 as amended on and from 13.02.2022, learned counsel makes a request to preserve contentions of writ petitioner to make a representation to jurisdictional District Collector.

4. Mr.T.K.Saravanan, learned Government Advocate takes notice for first respondent. Mr.C.Ramesh, learned standing counsel for TASMACH accepts notice for respondents 2 and 3.

5. Learned Government Advocate for first respondent submits that the first respondent has not received any representation qua subject matter of captioned writ petition. To be noted, subject matter of the captioned writ petition is shifting of a 'TASMACH' ['Tamil Nadu State Marketing Corporation Limited'] shop No.6467 in Survey No.24/2 at T.Palur Village,



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Ariyalur' ['said shop' for the sake of convenience and clarity].

6. In the light of narrative thus far, request of learned counsel for writ petitioner to preserve the contentions of writ petitioner to make a representation to first respondent is acceded to. If the writ petitioner makes a representation, it is open to first respondent to consider the representation on its own merits and in accordance with law. Though obvious, it is made clear that there is no expression of view or opinion in this order.

7. Captioned Writ Petition and captioned WMP disposed of as closed / withdrawn. There shall be no order as to costs.

12.12.2022

Index: Yes/No
Speaking / Non-speaking order
mk

To

1. The District Collector



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O/o.Ariyalur District Collectorate
Ariyalur.

2. The Managing Director
TASMAC Limited
CMDA Towers
Egmore, Chennai-600 008.
3. The District Manager
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Perambalur District.

M.SUNDAR, J.,



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