



W.P. (MD) No. 753 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

**W.P. (MD) No. 753 of 2023
and W.M.P. (MD) No.745 of 2023**

C.Yoganathan

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Marketing Corporation,
(TASMAC), CMDA Tower, Chennai.
 2. The District Collector,
Trichy District, Trichy.
 3. The District Manager,
Tamil Nadu State Marketing Corporation
(TASMAC), Trichy.
 4. The Regional Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
Old Collectorate Office, Trichy.
- ...Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the respondents to close the TASMAC Liquor Shop No. 10562 running at Survey No. 19/1A, TVS Tollgate, Trichy District, within the time stipulated by this Court.



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For Petitioner : Mr. M.Mohamed Zamil
For Respondents : Mr. D.Gandhiraj
Special Government Pleader for R1 & R2
Mr. S.Srinivasan for R3 and R4

ORDER

Heard M.Mohamed Zamil, Learned Counsel for the Petitioner, Mr. D.Gandhiraj, Learned Special Government Pleader appearing for the First and Second Respondents and Mr. S.Srinivasan, Learned Counsel appearing for the Third and Fourth Respondents and perused the materials placed on record apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the Respondents to close the TASMAL Liquor Shop No. 10562 running at Survey No. 19/1A, TVS Tollgate, Tiruchirappalli District.

3. Learned Counsel for the Respondents has produced the copy of the proceedings in Na.Ka.B&E3/20788/2022 dated 03.08.2022 passed by the Second Respondent granting permission for locating the said liquor shop. In the absence of any challenge to the said order, the question of directing the



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Respondents to close the shop cannot arise. In that backdrop, Learned Counsel for the Petitioner seeks permission of the Court to withdraw this Writ Petition with liberty to challenge the said order before the proper Forum in the manner recognized by law.

In view of the same, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, the connected Miscellaneous Petition is closed. No costs.

24.01.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No

PKN

Note: Issue order copy by 27.01.2023.



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WEB COPY

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P.D.AUDIKESAVALU,J.

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