



W.P. (MD) No. 623 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.AUDIKEAVALU

W.P. (MD) No. 623 of 2023

and

W.M.P. (MD) Nos. 619 and 620 of 2023

Honey Bee Recreation Club,
Represented by its Secretary,
P.Muthu Vairavan.

... Petitioner

Vs.

1.The Commissioner of Prohibition and Excise,
Chepauk,
Chennai – 600 005.

2.The District Collector,
Madurai District,
Madurai.

3.The District Manager,
Tamil Nadu State Marketing Corporation Limited,
(TASMAC),
Madurai North,
Manalur,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India,
to issue a Writ of Certiorari, to call for the records pertaining to the impugned



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order in Na.Ka.No.8479/2022/X2 dated 23.12.2022 on the file of the respondent No.2 and quash the same as illegal.

For Petitioner : Mr. S.Rajasekar
For Respondents : Mr. M.Senthil Ayyanar (R1 & R2)
Government Advocate
Mr. H.Arumugam (R3)

ORDER

Heard Mr. S.Rajasekar, Learned Counsel for the Petitioner, Mr. M.Senthil Ayyanar, Learned Government Advocate, who takes notice for the First and Second Respondents, Mr. H.Arumugam, who takes notice for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition challenges the Show Cause Notice in proceedings Na.Ka. No. 8479/2022/X2 dated 23.12.2022 issued by the Second Respondent. It is represented that in view of the order in proceedings Se.Mu. No. Ma.(Ma) Aaa.2(1)/5412/2022 dated 18.01.2023 passed by the First Respondent after the filing of the Writ Petition, the relief sought in the Writ Petition has become infructuous.



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3. In such circumstance, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition with liberty to the Petitioner to challenge the order in proceedings Se.Mu. No. Ma.(Ma) Aaa. 2(1)/5412/2022 dated 18.01.2023 passed by the First Respondent in appropriate legal proceedings and he has made an endorsement to that effect in the court record.

In fine, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, the connected Miscellaneous Petitions are closed. No costs.

24.01.2023

Index : Yes/No
Internet : Yes/No
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Note: Issue copy of the order by 02.02.2023



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P.D.AUDIKESAVALU,J.

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To

- 1.The Commissioner of Prohibition and Excise,
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Chennai – 600 005.
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- 3.The District Manager,
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