



WP(MD)No.17299 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.17299 of 2014
and
MP(MD)No.1 of 2014

A.M.Malairajan

... Petitioner

v.

1.The District Supply and Consumer Protection Officer,
O/o.the District Supply and Consumer Protection Office,
Theni Collectorate,
Theni.

2.The Inspector of Police,
CSCID,
Uthamapalayam,
Theni District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records relating to the impugned order passed by the first respondent in Na.Ka.No.43700/2013/N1, dated 16.10.2014 and quash the same.



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For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
for R.1

Mr.P.Kottai Chamy,
Government Advocate (Crl. Side)
for R.2

ORDER

This writ petition is filed as against the orders of the first respondent dated 16.10.2014, directing the petitioner to produce the vehicle bearing registration no.TN-59-AY-4344 Tanker Lorry for the purpose of assessing its value.

2.When the writ petition came up for hearing today, learned Counsel for the petitioner submitted that the petitioner is no more and therefore, he sought permission to withdraw the writ petition. He has also made an endorsement to that effect.



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3.It appears that the vehicle bearing registration no.TN-59-AY-4344 is said to have been involved in a case in Crime No.404 of 2013 u/s.17 of TNK (RT) Order 1973 r/w 7(1)a(ii) of EC Act, 1955, with an allegation that 370 litres of kerosene was transported without any valid permit. The petitioner is the owner of the vehicle, but he is not arrayed as an accused in the case.

4.For the subsequent action as required under the EC Act, the first respondent has issued the impugned notice and challenging the same, the instant writ petition came to be filed. On a query as to the present status after the issuance of the notice impugned, the learned Additional Government Pleader submitted that in view of the pendency of the writ petition, they have not proceeded further. The writ petition is pending before this Court from the year 2014 and it appears that there is no interim order.

5.In view of the above position and in view of the endorsement made by the petitioner's Counsel, this writ petition stands dismissed as withdrawn.



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The respondents are at liberty to proceed further, in accordance with law. No costs. Consequently, connected miscellaneous petition stands closed.

Index : Yes / No
NCC : Yes / No
gk

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To

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B.PUGALENDHI, J.

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