



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.09.2023**

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
AND
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRVARTHY**

**W.A(MD)NO.1597 OF 2023
and
C.M.P(MD)No.12395 of 2023**

- 1.The Commissioner of Prohibition and Excise,
Chepauk,
Chennai-600 005.
- 2.The District Collector,
Dindigul.
- 3.The Assistant Commissioner of Prohibition and Excise,
Collectorate,
Dindigul. :Appellants/Respondents 1 to 3

.VS.

- 1.Blue Forest Recreation Club,
represented by its Secretary,
Mr.P.Mahendran. : Ist Respondent/Writ Petitioners
- 2.The District Manager,
Tamil Nadu State Marketing Corporation Limited,
(TASMAC),
Dindigul,
Dindigul District. :2nd Respondent/4th Respondent

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent
praying this Court to set aside the order passed by this Court in
W.M.P(MD)No.15849 of 2023 in W.P(MD)No.19098 of 2023, dated



07.08.2023.

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For Appellants	:Mr.J.Ashok Addl.Govt.Pleader
For Respondent-1	:Mr.T.Lajapathi Roy Senior Counsel for Mr.I.Rajasekar

JUDGMENT

[Judgment of the Court was made by **S.S.SUNDAR,J.**]

This Writ Appeal is directed against the order of the learned Single Judge in W.M.P(MD)No.15849 of 2023 in W.P(MD)No.19098 of 2023, dated 07.08.2023.

2.Mr.T.Lajapathi Roy, learned Senior Counsel, for Mr.I.Rajasekar, learned counsel takes notice for the first respondent. By consent of both parties, the Writ Appeal is taken up for final disposal at the admission stage itself.

3.The appellants have already filed a petition to vacate the interim order made in the Writ Petition. Therefore, this Court is of the view that it would be appropriate to dispose of this Writ Appeal giving liberty to the appellants to prosecute the Petition filed by them to vacate the interim order already granted by the Writ Court.



4. Accordingly, the Writ Appeal is dismissed, however, giving liberty to the appellants to prosecute the application filed by them to vacate the interim stay already granted by the Writ Court, on merits. No costs. Consequently, connected Miscellaneous Petition is closed.

[S.S.S.R.,J.] [D.B.C.,J.]
25.09.2023

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

To

The District Manager,
Tamil Nadu State Marketing Corporation Limited,
(TASMAC),
Dindigul, Dindigul District.



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S.S.SUNDAR, J.
AND
D.BHARATHA CHAKRAVARTHY, J.

vsn

JUDGMENT MADE IN
W.A(MD)NO.1597 OF 2023
and
C.M.P(MD)No.12395 of 2023

25.09.2023