



W.P.No.27115 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.09.2024

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.27115 of 2024 &
W.M.P.No.29636 of 2024

S.Shanmugam

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Petitioner

Vs.

1. The District Collector,
62, Rajaji Salai,
Chennai- 600 001.

2. The Commissioner,
Prohibition and Excise Department,
Chepauk, Chennai- 600 005.

3. The Deputy Commissioner (excise),
Prohibition and Excise Department,
Chepauk, Chennai- 600 005. ...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the First and Third Respondents to pass orders as per the order passed in W.P.No.3097 of 2018 and as per letter dated 05.06.2024 issued by the Second Respondent and consequently refund a sum of Rs.50,000/- collected as security deposit for the year 2002-2003, so far as the Petitioner shop with



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License No.538/U17/MT/2002-2003 situated at No.131, Triplicane Main Road, Triplicane, Chennai- 600 005 along with interest @ 18% per annum from the date on which the petitioner has remitted the same.

For Petitioner : Mr.Vijayan Subramanian

For Respondent : Mr.P.Balathandayutham (R1 to R3)
Special Government Pleader

ORDER

This writ petition has been filed by the petitioner seeking direction the First and Third Respondents to pass orders as per the order passed in W.P.No.3097 of 2018 and as per letter dated 05.06.2024 issued by the Second Respondent and consequently refund a sum of Rs.50,000/- collected as security deposit for the year 2002-2003, so far as the Petitioner shop with License No.538/U17/MT/2002-2003 situated at No.131, Triplicane Main Road, Triplicane, Chennai- 600 005 along with interest @ 18% per annum from the date on which the petitioner has remitted the same.

2. Mr.P.Balathandayutham, learned Special Government Pleader takes notice on behalf of the Respondents 1 to 3.



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3. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.

4. The learned counsel for the Petitioner submitted that the Petitioner sent a representation dated 25.04.2024 to the Respondents seeking to refund the security deposit for a sum for Rs.50,000/- paid by the Petitioner and the 2nd Respondent has sent a letter dated 05.06.2024 to the Respondents 1 and 3, directing them to consider the Petitioner's request immediately, despite the same, the Respondents 1 and 3 have not taken any action on the representation made by the Petitioner and therefore the Petitioner has come forward with this Writ Petition seeking for the aforesaid relief.



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5. The learned Special Government Pleader (Taxes) appearing for the Respondents 1 to 3 has submitted that appropriate action will be taken to consider the Petitioner's representation dated 25.04.2024.

6. Heard both sides. Perused the records.

7. Considering the submissions made by the learned counsel appearing on either side, without going into the merits of the case, this court directs the Respondent concerned to dispose of the representation of the Petitioner dated 25.04.2024 and pass orders on merits and in accordance with law, after providing an opportunity of hearing to the Petitioner and after considering the letter issued by the 2nd Respondent dated 05.06.2024, within a period of four weeks from the date of receipt of a copy of this order.



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8. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

23.09.2024
(4/4)

Speaking/Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
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KRISHNAN RAMASAMY.J.,

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To

1. The District Collector,
62, Rajaji Salai,
Chennai- 600 001.
2. The Commissioner,
Prohibition and Excise Department,
Chepauk, Chennai- 600 005.
3. The Deputy Commissioner (excise),
Prohibition and Excise Department,
Chepauk, Chennai- 600 005.

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