



W.P.(MD) No.1442 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD) No.1442 of 2024

and

W.M.P.(MD)No.1485 & 1487 of 2024

R.Arul

... Petitioner

Vs.

1.The District Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
Palamalai Nagar, Thondi Road,
Sivagangai.

2.The Superintendent of Police,
Sivagangai.

3.The Inspector of Police,
Karaikudi South Police Station,
Sivagangai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to impugned notice of the first respondent dated 27.12.2023 in Na.Ka.No.A5/1892/2023 and quash the same and consequently, forbear the first respondent from interfering with the petitioner's peaceful functioning of TASMAC bar attached with the TASMAC shop No.7527 in Karaikudi Town, Sivagangai.



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For petitioner : Mr. J.Anandkumar
For respondents : Mr.H.Arumugam
Standing Counsel for R1
Mr.M.Vaikkam Karunanidhi
Government Advocate (Crl.Side) for R2 & R3

ORDER

This Writ Petition is filed challenging the show cause notice dated 27.12.2023 issued by the first respondent, whereby, the petitioner's licence issued on 20.12.2023 was proposed to be cancelled on the basis that an FIR in Crime No.320 of 2023 has been lodged for sale of illegal liquor, to which, the petitioner has also responded *vide* letter dated 03.01.2024.

2. Today, when the matter is taken up for hearing, it is submitted by the learned Standing Counsel for the first respondent that orders will be passed in accordance with law, after hearing the petitioner and considering the petitioner's representations dated 26.12.2023 and 03.01.2024.

3. It is submitted by the learned counsel for the petitioner that until the representation is disposed, the petitioner may be permitted to continue to run the bar, which was objected to by the learned counsel for the respondents.



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4. In view there of, the first respondent is directed to pass orders in accordance with law after affording reasonable opportunity of hearing to the petitioner, within a period of two weeks from the date of receipt of a copy of this order. Till such time, the petitioner is permitted to run the TASMACH shop, since there is no order cancelling the petitioner's license.

5. With the above direction this Writ Petition is disposed of. No costs.
Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes / No
apd

05.08.2024

To
1.The Superintendent of Police,
Sivagangai.

2.The Inspector of Police,
Karaikudi South Police Station,
Sivagangai.



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MOHAMMED SHAFFIQ, J.

apd

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