

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 1936

WP(C).No. 132 of 2015 (N)

PETITIONER(S):

- 1. C.K.OUSEPH, S/O.VAREETHU, AGED 75 YEARS,
CHETTUNGAL PALATTY (H), VADAKKUMBHAGAM,
MANJAPRA.P.O., ERNAKULAM-683 581**
- 2. K.S.JOSE, AGED 65 YEARS, S/O.K.S.DEVASSY,
KANJOORAN(H), VADAKKUMBHAGAM, MANJAPRA.P.O.,
ERNAKULAM-683 581**
- 3. C.P.THOMAS, AGED 49 YEARS, S/O.PAPPU,
CHULLY(H), VADAKKUMBHAGAM, MANJAPRA.P.O.,
ERNAKULAM-683 581.**

BY ADV. SRI.K.G.RAJEESH

RESPONDENT(S):

- 1. THE COMMISSIONER OF EXCISE,
EXCISE COMMISSIONERATE, TRIVANDRUM-695 301**
- 2. THE DEPUTY COMMISSIONER OF EXCISE,
KACHERIPPADY, ERNAKULAM-682 018**
- 3. THE KERALA STATE BEVERAGES (MANUFACTURING & MARKETING)
CORPORATION, SASTHAKRUPA OFFICE COMPLEX,
SASTHAMANGALAM, TRIVANDRUM-695 010,
REPRESENTED BY ITS MANAGING DIRECTOR.**
- 4. THE MANJAPRA GRAMA PANCHAYATH, MANJAPRA.P.O.,
ERNAKULAM-683 581, REPRESENTED BY ITS SECRETARY.**

**R1 & R2 BY GOVERNMENT PLEADER SMT. C.K.SHERIN
R3 BY SRI.C.S.AJITH PRAKASH, SC, BEVERAGES CORPORATION**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.132/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE REPRESENTATION DATED 23/12/2014 SUBMITTED BY THE PETITIONERS BEFORE THE FIRST RESPONDENT.**
- P2 COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P1**
- P3 COPY OF THE REPRESENTATION TO THE 1ST RESPONDENT GIVEN BY VICAR, HOLY CROSS FORANE CHURCH DATED 24/12/2014**
- P4 COPY OF THE ENGLISH TRANSLATION OF EXHIBIT- P3**
- P5 COPY OF THE REPRESENTATION TO THE 1ST RESPONDENT BY MEMBER OF THE ERNAKULAM DISTRICT PANCHAYATH DATED 23/12/2014**
- P6 COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P5.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 132 of 2015

Dated this the 06th day of January, 2015

JUDGMENT

Heard the learned counsel for the petitioners and the learned Government Pleader, as well as the learned Standing Counsel for the respondents, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. Briefly stated, the petitioners, being the residents of Vadakkumbhagam Junction in Manjapra Panchayat, have an apprehension that the respondent authorities are planning to shift a BEVCO outlet to their locality in violation of Rule 13 (1) of Foreign Liquor Rules, thereby causing extreme inconvenience to the residents of the area. It appears that ventilating their grievance, the petitioners have submitted Exhibit P1 representation before the first respondent. Complaining of delay in its consideration, the petitioners

have approached this Court.

3. In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioners and the learned Standing Counsel for the respondents, as well as the learned Government Pleader, without expressing any opinion on the merits of the matter, this Court disposes of the present writ petition with a direction to the first respondent to consider Exhibit P1 representation of the petitioner in accordance with law, after affording an opportunity of hearing to the petitioner and pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of six weeks from the date of receipt of a copy of this judgment.

With the above observation, this writ petition is disposed of.

DAMA SESHADRI NAIDU
JUDGE

DMR/-