

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 1937

WP(C).No. 20107 of 2015 (K)

PETITIONER : -

P.K. DINESH,
PUNNAKKAL VEEDU,
THURAVOOR(P.O.), CHERTHALAI,
ALAPPUZHA.

BY ADVS.SRI.P.VJAYACHANDRAN
SRI.S.SUDHEESHKAR
SRI.E.B.SHIVANANDAN
SRI.NIDHI BALACHANDRAN
DR.K.S.NIZAR

RESPONDENTS : -

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, TAXES(A) DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM-695001.
2. THE EXCISE COMMISSIONER,
COMMISSIONERATE OF EXCISE,
THIRUVANANTHAPURAM-695001.
3. THE DEPUTY COMMISSIONER OF EXCISE,
EXCISE DIVISIONAL OFFICE, ALAPPUZHA- 688011.
4. THE EXCISE INSPECTOR,
KUTHIATHODE EXCISE RANGE,
ALAPPUZHA- 688533.
5. V.SASI, SABITHA BHAVAN,
THIRUMALA BHAGOM(P.O.), KUTHIATHODE,
ALAPPUZHA-688528.

BY Sr. GOVERNMENT PLEADER SRI. K.C. VINCENT

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 20107 of 2015 (K)

APPENDIX

PETITIONER'S EXHIBITS : -

EXHIBIT P1 : TRUE COPY OF THE REPRESENTATION DATED 30/3/2015
SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
WITH ENGLISH TRANSLATION.

RESPONDENTS' EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 20107 of 2015

Dated this the 06th day of July, 2015

JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader 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. The petitioner, a licensee of a toddy shop under the fourth respondent in Group IV, has a grievance that he was not given the privilege for the year 2013-2014, despite his eligibility. According to him, it was, instead, given to the fifth respondent to the prejudice of the petitioner. Aggrieved thereby, the petitioner is said to have submitted Exhibit P1 representation before the second respondent. Seeking its expeditious consideration, the petitioner has approached this Court.

3. In response to the submissions made by the learned counsel for the petitioner, the learned Government Pleader

has submitted that the second respondent does not have any objection to consider petitioner's Exhibit P1 representation expeditiously.

4. In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioner and the learned Government Pleader for the respondents, this Court, without expressing any opinion on the merits of the matter, disposes of the present writ petition with a direction to the second respondent to consider Exhibit P1 representation of the petitioner in accordance with law, after affording an opportunity of hearing not only to the petitioner, but also to the fifth respondent, the preset licensee, 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/-