

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 25.8.2015.

CORAM

THE HON'BLE MR.JUSTICE V.RAMASUBRAMANIAN
AND
THE HON'BLE MR.JUSTICE T.MATHIVANAN

W.A.No.1202 of 2015

Aarthi Distilleries,
rep. by V.C.Ganesan,
No.15, Green Field, 6th Block,
East Mogappair,
Chennai 600 037.

Appellant/Petitioner

vs.

1. The Secretary,
Government of Tamilnadu,
Prohibition & Excise,
Fort St. George, Chennai 600 009.

2. The Special Commissioner and
Commissioner of Prohibition
and Excise,
Ezhilagam, Chennai 600 005.

Respondents/Respondents

Writ Appeal against the order dated 5.12.2014 passed in
W.P.No.28543 of 2014

Writ Petition filed Under Article 226 of the Constitution of India,
praying for issuance of Writ of Mandamus directing the respondents to
issue the license for blending and bottling unit and the privilege of
manufacturing Indian Made Foreign Liquor in S.No.160/2 3 4 5 6 161/1
2 etc. Sannaputhur Village Gummidipoondi Taluk Thiruvallur District
in the name and style of M/s.Aarthi Distilleries.

For appellant : Mr.P.R.Balasubramanian

JUDGMENT

(Judgment of the Court was delivered by V.RAMASUBRAMANIAN, J.)

This appeal arises out of dismissal of a writ petition filed by
the appellant seeking a mandamus to direct the respondents to issue
licence for blending and bottling unit and for the privilege of
manufacturing Indian Made Foreign Liquor.

2. Heard Mr.P.R.Balasubramanian, learned counsel for the appellant.

3. At a time, when the whole State is reeling under protest against the liquor policy, the appellant has come up before this court seeking a direction to issue licence to him for manufacturing Indian Made Foreign Liquor. The writ petition was dismissed by the learned Judge, after the Government took a specific stand in the counter affidavit that there is no policy for the issue of such licence by the Government. When the Government has taken a positive stand that there is no policy for issuance of licence, neither a positive direction to issue a licence nor a mandamus even to consider the representation can be issued by this court. The order of the learned Judge does not call for any interference. Hence, the appeal is dismissed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ssk.

To

1. The Secretary,
Government of Tamilnadu,
Prohibition & Excise,
Fort St. George,
Chennai 600 009.

2. The Special Commissioner and
Commissioner of
Prohibition and Excise,
Ezhilagam, Chennai 600 005.

+2 ccs to Mr.P.R.BalaSubramanian, Advocate sr.45334

W.A.No.1202 of 2015

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