

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2015

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.4977 of 2015

Kishorkumar Gokaldas
Ground Floor,
No.5, Bishop Wallers Avenue,
Mylapore,
Chennai - 600 005.

... petitioner

Versus

1.The Commissioner of Prohibition and Excise,
Chepauk,
Chennai - 600 005.

2.The Assistant Commissioner/Divisional Excise Officer,
Kancheepuam Collectorate,
Kancheepuram-635 501.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, directing the 2nd respondent to dispose of petitioner's complaint/representation dated 22.12.2014 and 02.02.2015 in accordance with law within a time frame to be specified by this Court.

For petitioner : Mr.Dr.P.Vasudevan

For Respondents : Mr.Digvijaya Pandian,
Addl. Govt. Pleader.

O R D E R

On consent, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner has come forward with the present writ petition to direct the 1st respondent to dispose of his complaints/representations dated 22.12.2014 and 02.02.2015 in accordance with law.

3. As rightly pointed out by the respondents, the persons, against whom the allegation has been made, has not been made as a party. Without dismissing the writ petition on the ground of non-joinder of necessary and appropriate party, this Court directs the 1st respondent to pass appropriate orders on the petitioner's representations dated 22.12.2014 and 02.02.2015, after hearing the persons, who are likely to be affected, more particularly, the persons mentioned in paragraph No.2 of the affidavit filed in support of the writ petition and pass appropriate orders on merits and in accordance with law. This Court makes it very clear that all the parties shall be served with the notice of hearing and if necessary, personal hearing should be given in person to all parties concerned in this issue and then order may be passed on the petitioner's representations dated 22.12.2014 and 02.02.2015 within a period of two weeks from the date of completion of personal hearing.

4. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsm

To

1.The Commissioner of Prohibition and Excise,
Chepauk,
Chennai - 600 005.

2.The Assistant Commissioner/Divisional Excise Officer,
Kancheepuam Collectorate,
Kancheepuram-635 501.

1 cc to .Dr.P.Vasudevan,Advocate, SR.No.10525

1 cc to Government Pleader,Sr.No10579

W.P.No.4977 of 2015

gj (co)
pmk.12.3.2015