

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.3140 of 2016

and

WMP.No.2577 of 2016

M/s.Chillum Cafe,
rep. by its Proprietor P.Sibi,
9/3G, Nehru Nagar East,
Kalapatti Road,
Aerodrom Post,
Coimbatore-14. ...Petitioner

Vs

1. Commissioner of Police,
City Police Office Campus,
Near Hosur Road,
Gopalapuram,
Coimbatore.
2. District Collector,
220, V.H.Road,
Railway Station,
Gopalapuram,
Coimbatore.
3. The City Health Officer (Health Section),
Corporation of Coimbatore,
Coimbatore-641 001. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pass orders on the representation of the petitioner dated 12.01.2016 seeking NOC at the earliest.

For Petitioner : Mr.V.Ayyadurai

For Respondents : Mr.R.Rajeswaran
Spl. G.P. for R1 to R3

O R D E R

By consent, the writ petition itself is taken up for final disposal.

2. The petitioner claims that they are running the restaurant and also having license and permits issued by Tamil Nadu Food Safety and Drug Administration Department, Tamil Nadu Fire Rescue Services etc., besides complying with other statutory rules of Tamil Nadu Catering Establishment Rules, etc. to run the restaurant. The petitioner has also provided "Hookahs" and initially it was banned and the Hon'ble Supreme Court of India in the judgment dated 08.12.2014, made in Civil Appeal Nos.10836 of 2014 etc. batch, has passed orders holding that the usage of Hookahs would be permissible. The petitioner, in this regard, has also submitted a representation dated 12.01.2016 to the respondents enclosing a copy of the above said judgment and in spite of receipt of the same, usage of Hookahs by consumers/customers is sought to be interfered with and hence, the petitioner came forward to file this writ petition.

3. Heard Mr.V.Ayyadurai, learned counsel appearing for the petitioner and Mr.R.Rajeswaran, learned Special Government Pleader appearing for the respondents.

4. This Court, in the facts and circumstances of the case, permits the petitioner to submit one more representation to the respondents by enclosing a copy of its earlier representation as well as the judgment of the Hon'ble Supreme Court of India, within a period of two weeks from the date of receipt of a copy of this order and the respondents, on receipt of the same, are directed to consider it in the light of the above said judgment, and pass orders within a period of six weeks thereafter and communicate the decision taken, to the petitioner.

5. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.
bbr

s/d-
Assistant Registrar(CS-III)

True Copy सत्यमेव जयते
Sub-Assistant Registrar

To

1. The Commissioner of Police,
City Police Office Campus,
Near Hosur Road,
Gopalapuram,
Coimbatore.

WEB COPY

2. The District Collector,
220, V.H.Road,
Railway Station,
Gopalapuram,
Coimbatore.

3. The City Health Officer (Health Section),
Corporation of Coimbatore,
Coimbatore-641 001.

+ 1 cc to Mr.V.Ayyadurai, Advocate SR 5543

+ 1 cc to Govt.Pleader SR 6088

ad(co)
prk3/2

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