

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.34139 of 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the third respondent in initiating enquiry in Ref.No.C.No.76/V&E/NR/KDP/2016, dated 08.09.2016 at the instance of the second respondent Corporation selectively with *mala fide* intention and also in not granting time as required by the petitioner firm as illegal, arbitrary and discriminative, and consequently set aside the notice issued by the third respondent, dated 08.09.2016.

Heard and perused the material.

Learned counsel for the petitioner submits that the third respondent discriminatively issued notice, dated 08.09.2016, requiring the petitioner to submit the documents of proof related to stocks and details of sale, within a period of seven days. In response to the said notice, the petitioner addressed a letter, dated 14.09.2016, seeking time till 10.10.2016 to submit the required details, as per the notice dated 08.09.2016. He submits that the notice was issued by the third respondent with ulterior motive to take action against the petitioner herein without therebeing any violation by the petitioner herein. However, after arguing for sometime, the learned counsel for the petitioner submits that the petitioner is ready to submit the details as required by the third respondent, but he seeks time for submitting the same.

Considering the facts and circumstances of the case, this Court is of the view that this is not the stage to interfere with the notice issued by the third respondent. Hence, the petitioner is directed to give reply to the notice, dated 08.09.2016, on or before 14.11.2016 and the third respondent is directed to dispose of the said reply in accordance with law. It is made clear that if the petitioner is aggrieved over the action of the

third respondent subsequent to filing of the reply, the petitioner is at liberty to approach appropriate forum seeking appropriate relief.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

17.10.2016
pln

