

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
AND

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.12227 of 2017
& W.M.P.No.13024 of 2017

M/s.Karaikal Port Private Limited
Rep. by its Director Mr.G.R.K.Reddy
Registered Office at Keezhavanjore Village,
T.R.Pattinam, Karaikal, Pin-609606.Petitioner

Vs

- 1.The Government of Puducherry,
Through its Chief Secretary,
Puducherry.
2. The Secretary,
Industries Department,
Government of Puducherry, Puducherry.
3. The Secretary,
(Ports) Government of Puducherry,
Puducherry.
4. The Secretary,
Prohibition and Excise Department,
Government of Puducherry,
Puducherry,
5. The District Collector,
Karaikal District, Karaikal.Respondents

PETITION is filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents from establishing any liquor shops or liquor vending and / or from issuing / granting any licenses for any liquor shop or vends within a radius of the 780 metres, on the road connecting the Karaikal Port and the National Highways.

For Petitioner : Mr.N.Muralikumaran
for M/s.MC Gan Law Firm
For Respondents : Mr.J.Kumaran, GA (Pondy)

O R D E R

(Order of the Court was made by S.M.SUBRAMANIAM, J.,)

The grievance set out in this Writ Petition is that the respondents are establishing a liquor shop by grating license within a radius of 780 metres on the road connecting the Karaikal Port and the National Highways.

2. The learned counsel appearing for the petitioners contended that the Hon'ble Supreme Court of India in the judgment, dated 15.12.2016 passed in the Civil Appeal Nos.12164-12166 of 2016, issued a comprehensive direction to all the States under Article 142 of the Constitution of India, and it is mandatory on the part of the State of Puducherry also to follow the direction issued by the Hon'ble Supreme Court of India. It is seen that the petitioner has submitted his representation on 03.03.2017 and we are of the view that it is suffice to direct the fifth respondent to redress the grievances of the petitioner, since the direction given by the Hon'ble Supreme Court of India is under Article 142 of the Constitution of India. Such being the factum of the case, the 5th respondent shall consider the petitioner's representation dated 03.03.2017 in the light of the direction issued by the Hon'ble Supreme Court of India, in Civil Appeal Nos.12164-12166 of 2016, dated 15.12.2016 and pass appropriate orders in this respect and communicate the decision to the petitioner, within a period of eight weeks from the date of receipt of a copy of this Order. With this direction, the Writ Petition is disposed of. No costs. Consequently, connected W.M.P. is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

pvs

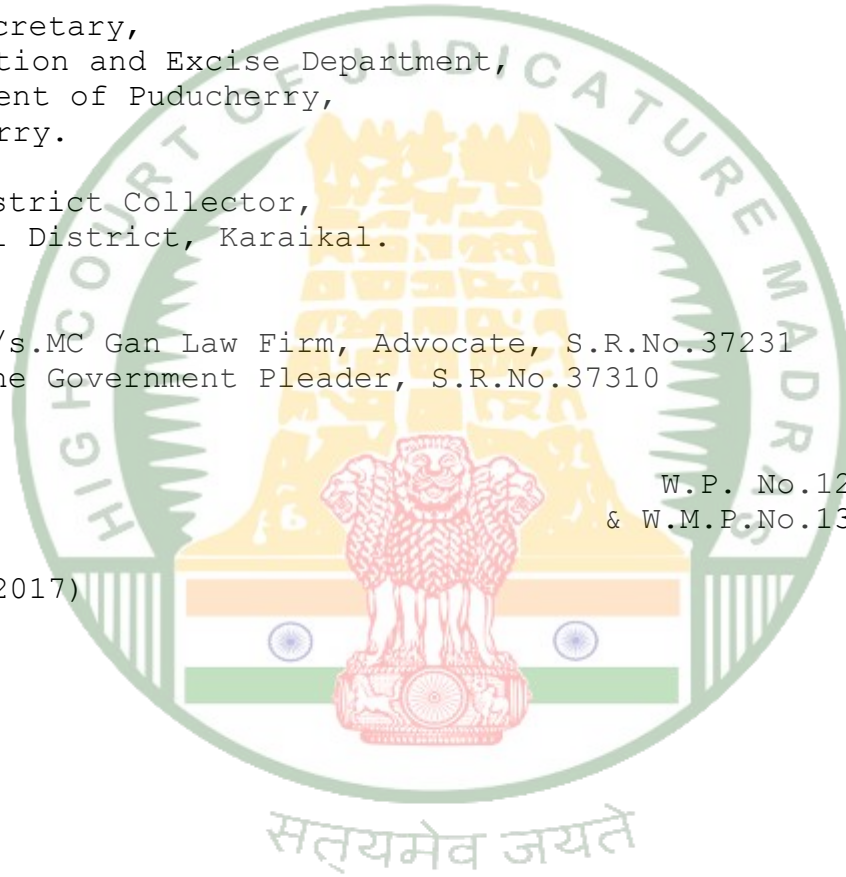
To

- 1.The Chief Secretary,
The Government of Puducherry,
Puducherry.
2. The Secretary,
Industries Department,
Government of Puducherry.
3. The Secretary,
(Ports) Government of Puducherry,
Puducherry.
4. The Secretary,
Prohibition and Excise Department,
Government of Puducherry,
Puducherry.
5. The District Collector,
Karaikal District, Karaikal.

+lcc to M/s.MC Gan Law Firm, Advocate, S.R.No.37231
+lcc to the Government Pleader, S.R.No.37310

VD(CO)
RS(12/06/2017)

W.P. No.12227 of 2017
& W.M.P.No.13024 of 2017



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