

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.12442 of 2017
& W.M.P.No.13214 of 2017

R.Murugan

...Petitioner

Vs

- 1.Union Territory of Puducherry,
Rep. by its Commissioner,
Department of Excise, Puducherry.
2. The Deputy Collector, Excise,
Thattan Chavady, Puducherry.
3. The Deputy Collector,
(Revenue) South,
Villianur, Puducherry.
4. The Inspector of Police,
Villianur Circle, Puducherry.

...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 or re-locating or granting license to the Liquor shops / FL-II License at Aacharya Puram, Uruvaiyaru Main Road, Villanur Puducherry - 110 or its adjoin area of the said village.

For Petitioner	:	Mr.N.Muralikumaran
For Respondents	:	Mr.J.Kumaran, GA (Pondy)

ORDER

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

The grievance set out in this Writ Petition is that the respondents shall be forborne from establishing or re-locating or granting license to the Liquor shops / FL-II License at Aacharya Puram, Uruvaiyaru Main Road, Villanur Puducherry - 110 or its adjoining area of the said village. It is stated that objections have been filed by the public in that regard by way of representation to the Hon'ble Lieutenant Governor of Puducherry on 04.05.2017, but the competent authority to deal with the matter is the second respondent / the Deputy Collector (Excise), Puducherry. Therefore, a proper representation is to be made by the Writ Petitioner.

2. Accordingly, the petitioner is directed to make a fresh representation by setting out his grievances to the second respondent within a period of two weeks from the date of receipt of a copy of this order. On such receipt, the second respondent shall consider and pass orders in the light of the decision of the Supreme Court of India in Civil Appeal Nos.12164-12166 of 2016, dated 15.12.2016, as expeditiously as possible. Till the decision is taken in this respect, the respondents shall not relocate the shop contrary to the judgment

of the Hon'ble Supreme Court. With this direction, the Writ Petition is disposed of. No costs. Consequently, connected W.M.P. is closed.

[M.K.K.S.J.,] [S.M.S.J.,]
11.05.2017

Index : Yes (or) No
Internet Yes (or) No
pvs

To

1. The Government of Puducherry,
Through its Chief Secretary,
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.

K. KALYANASUNDARAM. J.,
and
S.M.SUBRAMANIAM,J.,

pvs

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& W.M.P.No.13214 of 2017

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