

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.22568 of 2017

&

W.M.P.No.23693 of 2017

K.Vinoth Kumar

... Petitioner

Vs

1. The District Collector,
O/o.Puducherry Collectorate,
Puducherry.
 2. The Deputy Collector of Excise Department,
O/o.The Deputy Collector of Excise Department,
Thattanchavady, Puducherry - 600 009.
 3. The Inspector of Police,
Thinbhuvanai Police Station,
Thirubhuvanai, Puducherry - 600 009.
- ... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus, to directing the respondent to not to issue license to anybody to open ARRACK SHOP in Residential Area of Thirubhuvanai Palayam more particularly in the Survey No.111/3 & 111/4 of Thirubhuvanai [8], Villinaur Taluk, Puducherry.

For Petitioner : M/s.Achari and Antoni Associates

For Respondents : Mr.J.Kumaran,
Government Advocate

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ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondents.

2. The petitioner, who is said to have constructed a house in Thirubhuvanai Palayam, Puducherry, has come before this Court stating that license is not to be granted for opening an Arrack

shop in the residential area. From the photograph produced before this Court, it appears that the land is a vacant land and the petitioner's house is the only house in the locality. That apart, the claim that it is a residential layout also appears to be not correct, as there is no proof to show that it is an approved residential layout.

3. In any event, it is for the authority to consider as to whether the proposed location infringes the distance Rules. While doing so, the respondents made note the objections given by the petitioner.

4. With the above observations, this writ petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
O/o.Puducherry Collectorate,
Puducherry.
2. The Deputy Collector of Excise Department,
O/o.The Deputy Collector of Excise Department,
Thattanchavady, Puducherry - 600 009.
3. The Inspector of Police,
Thirbhuvanai Police Station,
Thirubhuvanai, Puducherry - 600 009.

+1cc to M/s.Achari and Antoni Associates, Advocate,
S.R.No.73932

+1cc to the Government Pleader(Pondy), S.R.No.74108

WP.No.22568 of 2017
& W.M.P.No.23693 of 2017

AR V
CA(08/11/2017)