

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.02.2017

Coram

THE HONOURABLE MR. JUSTICE RAJIV SHAKDHER

W.P.No.2295 of 2017

and

WMP No.2284 of 2017

M/s.Masters Club,
rep. by its President,
K.P.Krishnasamy,
S/o.Ponnusamy,
No.86/1, Kalaingar Nagar,
Thandampalayam,
Erode District. Petitioner

Vs.

1. The Secretary to Government,
Home and Prohibition and Excise Department,
Fort St. George, Chennai-600 009.
2. The Commissioner (I/c),
Prohibition and Excise Department,
Chepauk, Chennai-600 005.
3. The District Collector,
Erode District, Erode. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus order or direction in the nature of a writ, directing the first respondent to pass orders on the petitioner's stay application filed by the petitioner on 16.09.2016, by granting stay and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.C.Prakasam
For Respondents : Mr.Akhil Akbar Ali,
Government Advocate

ORDER

1. The only grievance of the petitioner, articulated before me by the learned counsel for the petitioner is that the appeal pending against the order dated 07.09.2016, passed by the second respondent, i.e., Commissioner, Prohibition and Excise Department, has not been taken up for hearing and final disposal.

1.1. I am also informed by the learned counsel for the petitioner that the appeal against the aforementioned order has been filed with the first respondent.

2. Mr.Akhil Akbar Ali, learned Government Advocate, who appears for the respondents, submits that if a direction is issued, the appeal will be taken up for hearing and final disposal.

3. I may also note that, along with the appeal, an application for stay has also been filed.

4. In these circumstances, the writ petition is disposed of with a direction to the first respondent to dispose of the appeal, at the earliest, though, not later than six (6) weeks from the date of receipt of a copy of the order.

4.1. Since, an application for stay has also been filed, the stay application be taken for hearing in the first instance, and disposed of, within one week of the date of receipt of a copy of the order.

5. Accordingly, the writ petition is closed, in the aforementioned terms. Resultantly, the pending application shall stand closed. There shall, however, be no order as to costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Home and Prohibition and Excise
Department,
Fort St. George, Chennai-600 009.
2. The Commissioner (I/c),
Prohibition and Excise Department,
Chepauk, Chennai-600 005.
3. The District Collector,
Erode District, Erode.

+2cc's to Mr.C.Prakasam, Advocate, S.R.No.9638

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