

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.15605 of 2017

Mrs. Gajalakshmi,
Proprietrix
Hotel Raj Mahal,
Narasimha Paradise Road (adjacent to
NH 44 - previously NH 7),
Krishnagiri District. Petitioner

Vs.

1. The Commissioner,
Prohibition and Excise,
Chepauk, Chennai - 600 005.
2. The District Collector,
Krishnagiri.
3. The Assistant Commissioner (Excise)
Krishnagiri. Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 1st respondent to consider the representation dated 22.04.2017 sent by the petitioner to the 1st respondent (received and acknowledged by the respondent on 04.05.2017) within the time frame as may be stipulated by this Court.

For Petitioner : Mr.D.Shivakumaran

For Respondents : Mr.Akhil AkBar Ali
Government Advocate

O R D E R

Mr.Akhil AkBar Ali, learned Government Advocate, takes notice on behalf of the respondents. By consent of the parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a direction to the first respondent to consider her representation dated 22.04.2017, sent on 03.05.2017 and received by the second respondent on 04.05.2017. It is seen that the petitioner, through the said representation is seeking permission to run a Bar at the petitioner's hotel by contending that the said Bar is located beyond 500 meters from the National Highway / State Highway and therefore, the order passed by the Apex Court is not applicable to the petitioner's case. Admittedly, the Bar at the petitioner's hotel is now closed, in pursuant to the order of the Hon'ble Supreme Court, followed by the order of the District Collector dated 31.03.2017.

3. However, the petitioner now claims that the location of the Bar is beyond 500 meters from the National Highway / State Highway. Ventilating such grievance, the petitioner has made the above said representation. Hence, it is for the first respondent to consider the said representation and pass orders on the same on its own merits and in accordance with law. Therefore, without expressing any view on the claim made by the petitioner, this writ petition is disposed of, only by directing the first respondent to consider the said representation of the petitioner and dispose of the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

mk/ms

To

1. The Commissioner,
Prohibition and Excise,
Chepauk, Chennai - 600 005.

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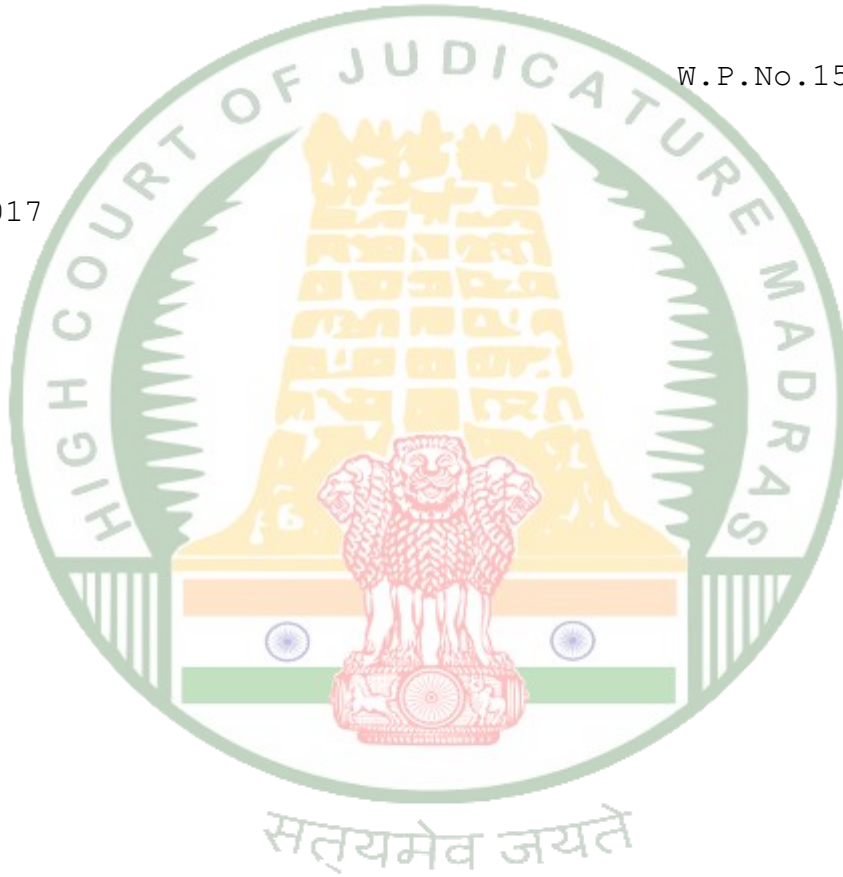
2. The District Collector,
Krishnagiri.

3. The Assistant Commissioner (Excise)
Krishnagiri.

+1 cc to Mr.D.Shivakumaran Advocate sr 43611

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