

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.10.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH  
AND  
THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.No.26836 of 2017  
& WMP.No.28563 of 2017

S.Suresh

... Petitioner

Vs.

1.The Chief Secretary,  
Government of Pudhucherry,  
Secretariat, Beach Road,  
Pudhucherry.

2.The District Collector,  
District Collector Officer,  
Karaikal, Pudhucherry.

3.The Deputy Collector (Revenue),  
Department of Prohibition,  
Office of the District Collector,  
Karaikal, Pudhucherry.

4.The Tahsildar,  
Taluk Office, Karaikal,  
Pudhucherry.

5.The Member Secretary,  
Town Planning,  
Office of the Town Planning,  
Karaikal, Pudhucherry.

6.Mr.Thirumurugan

7.Mr.Subramanian

... Respondents

Prayer:-Writ petition is filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the 5<sup>th</sup> respondent not to give any permission or approval to the 6<sup>th</sup> and 7<sup>th</sup> respondents from opening a liquor or wine shop at Ambakarathur, Pazhaiyar, Karaikal, where nearby an Arulmigu Ashtabuja Pathrakali Amman Temple is situated.

For Petitioner : M/s Greetha Senthilkumar  
For Respondent : Mr.Syed Mustafa,  
Government Pleader (P) for R1 to R5

ORDER

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

This public interest litigation has been filed by the petitioner inter alia alleging that contrary to the rules and notwithstanding the existence of a temple, within the prohibited distance, a liquor shop is likely to be located.

2. The learned Government Pleader (Pondicherry) appearing for respondents 1 to 5 would submit that though an application is received and so is the representation made by the petitioner, a decision is yet to be made. He further submits that within a reasonable time, the application vis-a-vis the representation dated 09.10.2017 has to be disposed of.

3. Considering the above, the third respondent, being the competent authority, is hereby directed to pass appropriate orders on the pending representation of the petitioner dated 09.10.2017 within a period of one week from the date of receipt of a copy of this order, after putting the petitioner as well as the private respondents viz., respondents 6 and 7, on notice. Based upon the same, the issue of granting permission for shifting can be considered.

4. The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

raa

To

1.The Chief Secretary,  
Government of Pudhucherry,  
Secretariat, Beach Road, Pudhucherry.

2.The District Collector,  
District Collector Officer,  
Karaikal, Pudhucherry.

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3.The Deputy Collector(Revenue),  
Department of Prohibition,  
Office of the District Collector,  
Karaikal, Pudhucherry.

4.The Tahsildar, Taluk Office,  
Karaikal, Pudhucherry.

5.The Member Secretary,  
Town Planning, Office of the Town Planning,  
Karaikal, Pudhucherry.

+1cc to Mr.Greetha Senthilkumar, Advocate, S.R.No.74222

+1cc to the Government Pleader(Pondy), S.R.No.74301

W.P.No.26836 of 2017

SVI (CO)  
CA(23/10/2017)



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