

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2017

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.13614 of 2004

G.Jothikumar

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. By its Secretary,
Prohibition & Excise, (VI) Department,
Fort St. George, Chennai - 9.

2.The Assistant Commissioner (Excise) (I/C),
Kanyakumari District, Nagercoil. ... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue Writ of mandamus to direct the respondent to refund a sum of Rs.1,50,000/- (Rs.1,00,000/- deposited as security deposit for running a shop and Rs.50,000/- deposited as a security deposit for running a bar in the shop) deposited as a security deposit.

For Petitioner : Mr.S.Haja Mohideen Gisthi

For Respondents : Mrs.A.Sri Jayanthi, Spl.GP

ORDER

Heard Mr.Haja Mohideen Gisthi, learned counsel for the petitioner and Mrs.A.Srijayanthi, learned Special Government Pleader for the respondents.

2. The petitioner was granted a license to run the TASMAC shop and he has paid the security deposit for running the same. According to the petitioner, he has fulfilled 97% of the target fixed by the Government. Therefore, the petitioner submitted a representation to the second respondent on 12.01.2004 requesting for refund of the security deposit of Rs.1,00,000/- for running the shop and Rs.50,000/- for running the bar. Since the said representation has not been considered, the present writ petition has been filed.

3. Considering the nature of the relief sought for and since the matter is pending from the year 2004 onwards, the writ petition is disposed of by directing the petitioner to submit a representation to the second respondent along with a copy of this order and on such representation, the second respondent is directed to consider the same and pass appropriate orders in accordance with law, within a period of 12 weeks from the date of receipt of such representation. No Costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary,
Prohibition & Excise, (VI) Department,
Fort St. George, Chennai - 9.

2.The Assistant Commissioner (Excise) (I/C),
Kanyakumari District, Nagercoil.

+lcc to Mr.Haja Mohideen Gisthi, Advocate SR.No.47127

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MG(CO)
GN(19/07/2017)

सत्यमेव जयते
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