

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2017

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.17278 to 17280 of 2003

R.Thirumurugan	.. Petitioner in WP.17278/03
S.Thangavel	.. Petitioner in WP.17279/03
K.Suresh Kumar	.. Petitioner in WP.17280/03

Vs.

- | | |
|---|----------------------------|
| 1. The Assistant Commissioner
(Excise), Salem. | |
| 2. The Divisional Excise Officer,
Salem. | .. Respondents in all WPs. |

Prayer: Writ petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the order of the 2nd respondent dated 17.6.2003 in Na.Ka.378/03/A and quash the same and direct the respondents to issue Bar licence to the petitioners.

For Petitioners : Mr.Selvaraj

For Respondents : Mr.K.Dhananjeyan,
Special Government Pleader

COMMON ORDER

The Notice dated 17.06.2003 issued by the Divisional Excise Officer, Salem is under challenge in this writ petition.

2. On perusal of the impugned Notice, it is unambiguous that the writ petitioners were running the Bar without obtaining proper permission from the competent authorities. In view of the violation of this Rule, a Notice was issued by the respondents directing the writ petitioners to pay the required license fees and obtain the license to run the Bar attached with the TASMAL shop. Instead of submitting explanations or obtaining proper license from the competent authorities, the writ petitioners approached this Court under Article 226 of the Constitution of India, challenging the Notice.

3. Without going into the merits and demerits of the case, as the writ petitions are against the Notice issued by the respondents, it is for the writ petitioners to submit their explanations before the competent authorities to explain their position with regard to the non-obtainment of the required license under the Rules.

4. In view of this factum, this Court is not inclined to consider the grounds raised in these writ petitions. Accordingly, all these writ petitions are dismissed as not maintainable. No costs.

05.05.2017

Speaking/Non Speaking
Internet: Yes/No
Index : Yes/No
sr/sts

To

1. The Assistant Commissioner
(Excise), Salem.
2. The Divisional Excise Officer,
Salem.

S.M.SUBRAMANIAM,J.,

sr/sts

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