

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.26993 of 2013

ORDER:

1. This writ petition is filed challenging the proceedings dated 13.6.2013 in Rc.No.A2/60/2013 issued by the 1st respondent cancelling the licence granted to the petitioner.

2. Brief facts of the case are as follows:

The petitioner is the toddy shop licensee. As he involved in a criminal case, his licence was suspended. Questioning the same, the petitioner filed W.P.No.11993 of 2013 before this Court. This Court, without interfering with the order of suspension, directed the 1st respondent to issue a show cause notice calling for explanation from the petitioner, conduct an enquiry and pass final order. Thereafter, the petitioner received a show cause notice and submitted his explanation after expiry of the time granted to him for submission of such explanation. The 1st respondent issued the proceedings impugned cancelling the licence granted to the petitioner.

3. The learned Counsel for the petitioner submitted that the explanation of the petitioner was not considered as he submitted the same with delay of two days.

4. Heard and perused the material available on record.

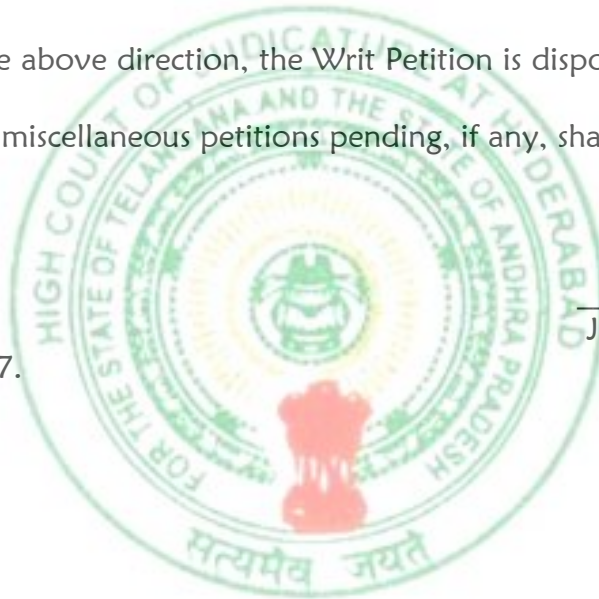
5. On perusal of the material available on record, it is evident that the 1st respondent passed the order vide the impugned proceedings not only on the ground of delay in filing the explanation but also on merits of the case. Therefore, this Court is not inclined to interfere with the proceedings impugned.

6. At this stage, the learned Counsel for the petitioner submitted that because of the criminal case, the petitioner suffered for a period of five years, and further, the criminal case was also ended in acquittal and therefore, the respondents may be directed to consider the case of the petitioner for the next period of licence.

7. Considering the above facts and circumstances and in view of the above submission, the respondents are directed to consider the application of the petitioner, if any made for grant of licence for the next five years, and dispose of the same in accordance with law.

8. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

Dated: 1.6.2017.
Nn



Justice Raja Elango

HONOURABLE SRI JUSTICE RAJA ELANGO



1.6.2017

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