

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.09.2018
CORAM
THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No. 24940 of 2018 and
W.M.P.Nos.28984, 28985 and 28986 of 2018

G.Srinivasan @ Balaji

.. Petitioner

Vs

1. The Chief Secretary,
Government of Puducherry,
Puducherry.
2. The Secretary,
Excise Department, Puducherry.
3. The Commissioner of Excise Department,
Thattanchavady, Puducherry.
4. Ravi Chettiar

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus to call for the records relating to the file in FL-1 to FL-2/103 license in the name of the 4th respondent in the name and style of "DR Bar and Restaurant" issued by the respondents 2 and 3 and quash the same as illegal and consequently to direct the respondents 1 to 3 to issue FL-2 License in the name of Mr.V.P.Dhandapani Chettiar's legal heirs.

For Petitioner : Mr.A.Thiagarajan
Senior Counsel for
Mr.D.Senthilkumaar

For R1 to R3 : Mr.B.Nambiselvam
Additional Government Pleader (P)

ORDER

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with the present writ petition for a certiorarified mandamus challenging the licence issued by the respondents 2 and 3 in the name of the 4th respondent and consequently directing the respondents 1 to 3 to issue FL-2 Licence in the name of Mr.V.P.Dhandapani Chettiar's legal heirs.

3. According to the learned senior counsel for the petitioner, though the prayer in this writ is for a certiorarified mandamus, the petitioner now confines the same for a mandamus and submits that the petitioner made a representation dated 06.08.2018 to the respondents 1 to 3, but, the same is yet to be disposed of by the respondents 1 to 3. However, the learned senior counsel submitted that it would suffice, if the said representation made by the petitioner is directed to be considered by the respondents 1 to 3, on merits.

4. Mr. B. Nambiselvam, learned Additional Government Pleader taking notice for respondents 1 to 3, submitted that respondents 1 to 3 be directed to consider the petitioner's representation and pass orders, in accordance with law.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents 1 to 3 to consider the representation dated 06.08.2018 made by the petitioner and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, the fourth respondent as well as any of the interested parties, within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition stands disposed of. Consequently, connected W.M.Ps are closed. No costs.

Sd/-
Assistant Registrar (CS IX)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

To

1. The Chief Secretary,
Government of Puducherry,
Puducherry.
2. The Secretary,
Excise Department, Puducherry.

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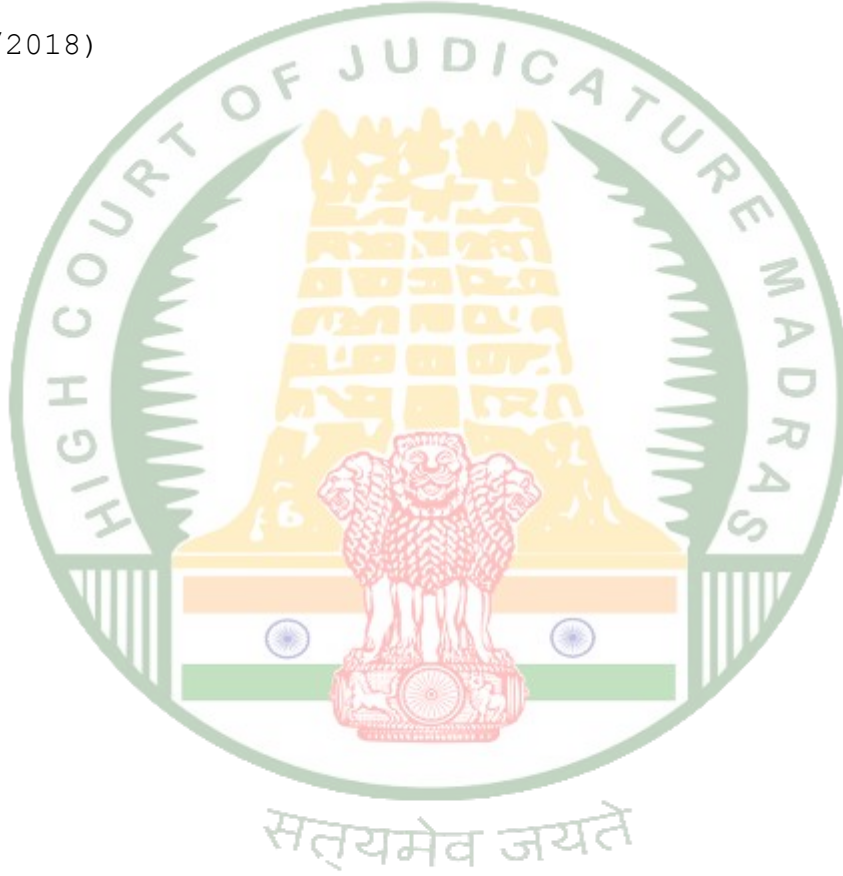
3. The Commissioner of Excise Department,
Thattanchavady, Puducherry.

+3cc to Mr.D.Senthil Kumaar, Advocate, S.R.No.65667

+1cc to the Government Pleader, S.R.No.66010

W.P.No.24940 of 2018

VGI (CO)
GSP (11/10/2018)



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