

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:25.01.2018

C O R A M

THE HON'BLE Mr.JUSTICE K. RAVICHANDRABAABU

W.P.No.1619 of 2018

Thangaraj.C,
Proprietor,
Nartagi Restaurant,
No.142, Purasaiwakkam High Road,
Chennai 10.

...Petitioner

vs

The State rep. by
The Commissioner of Police,
Office of the Commissioner,
EVK Sampath Road,
Vepery, Chennai 600 007.

...Respondent

Prayer:Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus to direct the respondent herein to issue renewal of public resort license for conducting Indian Cultural Dances program with live Music at Hotel Golden Star Nartagi Restaurant, located at 142/10, Purasaiwakkam High Road, Kilpauk, Chennai 600 010 based on the petitioner's application dated 22.12.2017 within a reasonable period.

For petitioner : Mr.L.Chandrakumar
for Mr.N.Chinnaraj

For Respondent : Mr.R.Govindasamy
Special Government Pleader

ORDER

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondent. By consent, the main writ petition itself is taken up for final disposal at the stage of admission.

2.Heard Mr.L.Chandrakumar, learned counsel appearing for the petitioner and Mr.R.Govindasamy, learned Special Government Pleader appearing for the respondent.

3.The petitioner seeks for a direction to the respondent to issue renewal of public resort license for conducting Indian Cultural Dances program with live Music at Hotel Golden Star Nartagi Restaurant, located at 142/10, Purasaiwakkam High Road, Kilpauk, Chennai, based on the petitioner's application dated 22.12.2017.

4.It is stated that the petitioner is running a public resort in the name and style of Hotel Golden Star Nartagi Restaurant at Purasaiwakkam and the respondent issued a license dated 26.11.2010 and the same is being periodically renewed every year. It is further stated that the last renewal was made till 31.12.2017, by an order of the respondent dated 29.07.2017. It is further contended by the petitioner that the Indian Cultural dance and music are conducted in the premises strictly by adhering to the conditions stipulated in the license. It is stated that the petitioner, before the expiry of the last renewal, made an application for further renewal on 22.12.2017 and the said application is still pending. Therefore, the present writ

petition is filed before this Court seeking for a direction to the respondent to issue renewal of the said license for further period.

5. When this matter was taken up in the morning, the learned Government Pleader was directed to ascertain as to whether the petitioner is running the restaurant even as on today. Accordingly, the learned Government Pleader ascertained that though the license given to the petitioner has expired on 31.12.2017, however, the petitioner is running the restaurant even as on today.

6. Mr. L. Chandrakumar, learned counsel for the petitioner contended that when the petitioner has made the application for renewal well before the expiry of the license, the respondent ought to have considered the same and renewed license before its expiry. Therefore, he contended that running of the restaurant by the petitioner continuously cannot be found fault with, as his application is still pending for consideration before the respondent and not rejected.

7. Learned Government Pleader submitted that the application submitted by the petitioner dated 22.12.2017, seeking for renewal will be considered by the respondent and orders will be passed on merits and in accordance with law within a period of six weeks.

K.RAVICHANDRABAABU,J.

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8.Considering the above stated facts and circumstances, the respondent is directed to consider the above application submitted by the petitioner seeking for renewal and pass orders on the same on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

25.01.2018

Speaking/Non Speaking
Index :Yes/No
Note:Issue copy on 30.01.2018
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To

The Commissioner of Police,
Office of the Commissioner,
EVK Sampath Road,
Vepery, Chennai 600 007.

WEB COPY

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