

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2018

CORAM

The Hon'ble Mr. Justice T.S.Sivagnanam

W.P.Nos.28688 to 28697 of 2003
and
W.M.P.Nos.35014 to 35023 of 2003

P.Duraisami ... Petitioner in W.P.No.28688 of 2003
D.R. Natarajan ... Petitioner in W.P.No.28689 of 2003
P. Balamurugan ... Petitioner in W.P.No.28690 of 2003
K. Karuna ... Petitioner in W.P.No.28691 of 2003
S. Muthu ... Petitioner in W.P.No.28692 of 2003
P. Petteraj ... Petitioner in W.P.No.28693 of 2003
E. Santhanam ... Petitioner in W.P.No.28694 of 2003
R. Ravichandran ... Petitioner in W.P.No.28695 of 2003
P. Subramani ... Petitioner in W.P.No.28696 of 2003
S.R. Subramani ... Petitioner in W.P.No.28697 of 2003

..Vs..

1. The Government of Tamil Nadu,
Rep.by Secretary to Government,
Prohibition and Excise Department,
Fort St., George, Chennai 600 009.
2. The Commissioner,
Prohibition and Excise,
Ezhilagam, Chennai 600 005. ..RR1 & 2 in all W.Ps
3. The District Collector,
Tirunelveli District.
4. The Assistant Commissioner (Excise),
Tirunelveli District.

.. RR3 & 4 in (W.P. 28688/2003)

The District Collector
Villupuram District.

..R3 in W.P. 28689/2003.

The Assistant Commissioner(excise)
Villupuram District

..R4 in W.P. 28689/2003.

The District Collector
Thiruvallur District.

..R3 in W.P.s 28690 to 28697/2003.

The Assistant Commissioner(Excise)
Thiruvallur District.

..R4 in W.P. 28690 to 28697/2003.

Prayer :-

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Declaration, declaring the Government orders in G.O.Ms.No.243, 244 and 245 Prohibition and Excise VI Department dated 04.10.2003 as arbitrary, illegal and violative of Article 14 of Constitution of India. (in all W.Ps)

For Petitioners in all W.Ps. : Mrs.AL.Ganthimathi

For Respondents in all W.Ps. : Mr.J.Pothiraj
Special Government Pleader

COMMON ORDER

Heard Mrs.AL.Ganthimathi, the learned counsel appearing for the petitioners and Mr.J.Pothiraj, the learned Special Government Pleader for the respondents.

2. These Writ Petitions have been filed for the declaratory relief, to declare the Government Orders, in G.O.Ms.No.243, 244 and 245 of Prohibition and Excise VI Department, dated 04.10.2003, as arbitrary, illegal and violative of Article 14 of the Constitution of India.

3. Record of the proceedings show that there was no interim orders granted, and the Court directed the matter to be tagged along with the batch, by order dated 14.10.2003. It is not known as to what happened to other batch of cases. In any event, if the batch of cases has been disposed of in favour of the similarly placed persons, the same order will enure to the benefit of the petitioners herein. Otherwise, since the excise policy pertains to the year 2003-04, by efflux of time, there would be no necessity to adjudicate into the correctness of the impugned orders.

4. With the above observations, these Writ Petitions stand disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

s/d-
Assistant Registrar (CS VII)

True Copy

Sub-Assistant Registrar

dna/sd

To

1. The Government of Tamil Nadu,
Rep.by Secretary to Government,
Prohibition and Excise Department,
Fort St., George, Chennai 600 009.
2. The Commissioner,
Prohibition and Excise,
Ezhilagam, Chennai 600 005.
3. The District Collector,
Tiruvallur District.
4. The Assistant Commissioner (Excise),
Tiruvallur District.
5. The District Collector
Tirunelveli District.
6. The Assistant Commissioner (Excise)
Tirunelveli District.
7. The District Collector
Villupuram District.
8. The Assistant Commissioner (Excise)
Villupuram District

W.P.Nos.28688 to 28697 of 2003

RV(CO)
SP(21/02/2018)