



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD) No.3049 of 2018

and

W.M.P. (MD) .No.3195 of 2018

R.Gopal

... Petitioner

-Vs-

The District Manager,
Tasmac Limited,
Sipcot Complex,
Tuticorin.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, , quashing the order of Cancellation of Licence in Na.Ka.A4/1802/15 dated 31.01.2018 for the TASMAC bar for shop NO.9932, Tuticorin and directing the respondent to extend the license in license no Na.Ka.No.A4/1912/15 dated 31.12.2016 till the next tender for the shop.

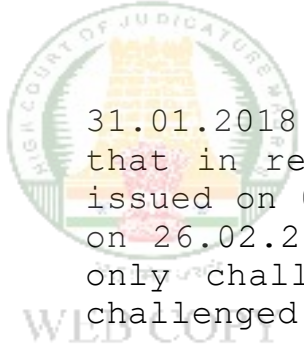
For Petitioner : Mr.KA.Raamakrishnan
For Respondent : Mr.Jameelarasu
Standing counsel

ORDER

This writ petition has been filed challenging the order passed by the respondent cancelling the petitioner's licence to run a Bar.

2.According to the petitioner, the petitioner is a licensee in respect of a bar attached to shop No.9932 at Tuticorin and the lease period valid till 31.01.2018. Thereafter, the petitioner has made an application for renewal. Now, without renewing the licence, the respondent cancelled the licence vide order dated 31.01.2018 in Na.Ka.No.A4/1802/15, for which, he has no power. In the above circumstances, challenging the above order, the present writ petition has been filed.

<https://hcservices.ecourts.gov.in/hcservices/>
The learned counsel appearing for the respondent would submit that the petitioner licence period already expired on



31.01.2018 and the shop was also closed. He would further contend that in respect of the said shop, a tender notification has been issued on 08.02.2018 and the last date for submitting tender forms on 26.02.2018. In the above circumstances, now the petitioner has only challenged the cancellation of his lease and he has not challenged the tender notification.

4. Admittedly, the licence period has expired on 31.01.2018 and the shop was also closed. Thereafter, now the respondent has also called for tender for granting fresh licence. In the above circumstances, the petitioner cannot claim any right to continue the bar in the above premises. If at all, the petitioner is interested in getting licence, he is at liberty to participate in the tender which is to be conducted by the respondent. The respondent is directed to issue tender form to the petitioner enabling him to participate in the tender.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, W.M.P. (MD). No. 3195 of 2018 is closed.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

+1cc to Mr. KA. Raamakrishnan, Advocate, in SR No. 49307

+1cc to Mr. B. Jameelarasu, Advocate, in SR No. 49121

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and

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vsg

MKV-SV-MMS-SAR 3/16.2.2018/2P-3C