



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.12716 of 2018

WEB COPY

Jayam Recreation Club,
Represented by its Secretary K.Kumar,
S/o.Koodalingam,
No.3A, 3A/1, Pound Road,
Watrap-626 132,
Srivilliputhur Taluk,
Virudhunagar District.

... Petitioner

vs.

1.The Commissioner of Prohibition and Excise,
Prohibition and Excise Department,
Ezhilagam, Chepauk, Chennai 600005.

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The Assistant Commissioner (Excise),
Prohibition and Excise Department,
Virudhunagar,
Virudhunagar District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to grant FL2 license to the petitioner club based on the application dated 26.07.2014, within the time frame fixed by this Court.

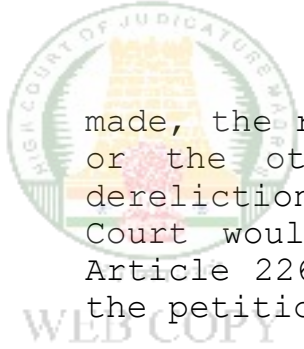
For Petitioner	: Mr.T.Bashyam
For Respondent	: Mr.J.Gunaseelanmuthaiah Additional Government Pleader

O R D E R

Hear Mr.T.Bashyam, learned counsel appearing for the petitioner and Mr.J.Gunaseelanmuthaiah, learned Additional Government Pleader, takes notice for the respondents.

2. It is the grievance of the petitioner that his application dated 26.07.2014, seeking for grant FL2 license to the petitioner club, has not been considered by the first respondent till date and therefore, he has filed the present writ petition.

3. This Court has not expressed any of its view with regard to the merits of the application made by the petitioner. It is needless to point out that whenever an application of this nature is



made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's application within a stipulated time.

4. In view of the limited prayer sought for in this writ petition, there shall be a direction to the third respondent to consider the petitioner's application dated 26.07.2014 on its own merits and take further action in accordance with law, within a period of 8 weeks from the date of receipt of a copy of this order. Such an exercise shall be done after conducting enquiry and giving due opportunity to the petitioner as well as to any other persons who may be interested in the subject matter.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To:

- 1.The Commissioner of Prohibition and Excise,
Prohibition and Excise Department,
Ezhilagam, Chepauk, Chennai 600005.
- 2.The District Collector,
Virudhunagar District,
Virudhunagar.
- 3.The Assistant Commissioner (Excise),
Prohibition and Excise Department,
Virudhunagar,
Virudhunagar District.

+1cc to Mr.T.Bashyam, Advocate, SR.No.73176

W.P. (MD) No.12716 of 2018
16.07.2018

SJI
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