



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.14956 of 2018

Chenthoor Manamahil Mandram
rep.by its Secretary B.Senthilkumar
S/o.Bose
No.4/332-10, Aruppukkottai Road
Valayankulam, Madurai District

... Petitioner

vs.

1. The Commissioner of Prohibition and Excise
Prohibition and Excise Department
Ezhilagam, Chepauk, Chennai-600 005

2. The District Collector
Madurai District, Madurai

3. The Assistant Commissioner (Excise)
Prohibition and Excise Department
Collectorate, Madurai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to permit the petitioner to run their FL2 bar attached with the club based on the representation dated 19.06.2018.

For Petitioner : Mr.T.Bashyam

For Respondents: Mr.J.Gunaseelan Muthiah
Additional Government Pleader

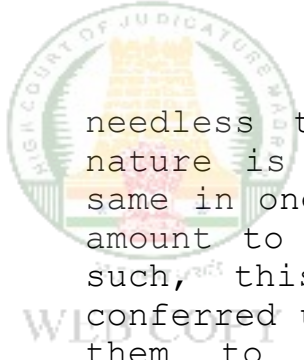
O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondents.

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

3. It is the grievance of the petitioner that their representation dated 19.06.2018 seeking permission to run FL2 bar attached with their Club, has not been considered by the respondents till date and therefore, they have filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is



needless to point out that whenever a representation 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 representation within a stipulated time.

5. 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 representation dated 19.06.2018 on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject matter.

6. With the above directions, 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-600 005.
2. The District Collector,
Madurai District, Madurai.
3. The Assistant Commissioner (Excise),
Prohibition and Excise Department,
Collectorate, Madurai.

+1cc to Mr.T.Bashyam, Advocate Sr.No.72201
+1cc to Spl.Government Pleader Sr.No.72551

KRK
VB/RP/SAR4/17.07.2018/2P/6C