

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Special Original Jurisdiction )

Wednesday, the Twenty Sixth day of June Two Thousand Nineteen

PRESENT

THE HON`BLE MR JUSTICE M. SUNDAR

WMP NO.3453 OF 2019

IN WP.34636/2018

K.JAGADEESAN

[ PETITIONER ]

Vs

1 NEHRU @ KUPPUSAMY

[ RESPONDENTS ]

2 THE COMMISSIONER (EXCISE)  
GOVERNMENT OF PUDUCHERRY,  
PUDUCHERRY

3 THE DEPUTY COMMISSIONER  
(EXCISE), GOVERNMENT  
OF PUDUCHERRY, PUDUCHERRY.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to implead the petitioner as a party/3rd respondent in the above WP No.34636 of 2018.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.VIJAYAN, SENIOR COUNSEL FOR M/S.K.M.VIJAYAN ASSOCIATES, Advocate for the petitioner and of MS.RADHA GOPALAN, Advocate for the 1<sup>st</sup> Respondent and of MR.J.KUMARAN, Additional Government Pleader (PONDY) on behalf of the 2 & 3 Respondents the court made the following order:-

Mr.K.M.Vijayan, learned Senior counsel of M/s.K.M.Vijayan Associates appearing on behalf of the learned counsel on record for the petitioner herein is before this Court.

2. Subject matter of the instant writ petition is withdrawal of a provisional confirmation order for an arrack shop being Shop No.7(B) at Kanniakoil of Bahour Commune in Puducherry.

3. This implead petition pertains to objections to the location of the aforesaid arrack shop.

4. It is not in dispute that the local legislator who is elected representative of local citizenry had earlier objected to

the location. Be that as it may, learned Senior counsel submits that the petitioner in the implead petition is residing within the aforesaid commune and is vitally interested in having a say, more so, in the light of objections, which had been raised earlier.

5. This is opposed by the writ petitioner on the ground that the implead petitioner does not have locus. State counsel remains neutral on the implead petition.

6. As there is no dispute that the implead petitioner is a resident in the Commune, wherein aforesaid arrack shop is located, this implead petition is disposed of, giving audience to the petitioner herein as an intervenor. In other words, the petitioner in this implead petition will be heard / given audience as an intervenor, but is not impleaded as a party to the writ petition or the miscellaneous petitions therein.

7. This Miscellaneous petition in W.M.P.No.3453 of 2019 in W.P.No.34636 of 2018 is disposed of on above terms. No costs.

-sd/-  
26/06/2019

/ TRUE COPY /

Sub Assistant Registrar ( Statistics / C.S. )  
High Court, Madras - 600 104.

TO

1 THE COMMISSIONER (EXCISE)  
GOVERNMENT OF PUDUCHERRY,  
PUDUCHERRY

2 THE DEPUTY COMMISSIONER  
(EXCISE), GOVERNMENT  
OF PUDUCHERRY,  
PUDUCHERRY.

C.C. to M/S.K.M.VIJAYAN ASSOCIATES Advocate on payment of  
necessary charges

Order  
in  
WMP.3453/2019  
in  
WP.34636/2018

Date :26/06/2019

From 26.2.2001 the Registry is issuing certified  
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RRI 29/07/2019

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