

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.24374 of 2010

S.Saravanan

...Petitioner

Vs

1. The Secretary to Government,
Co-operation, Food and Consumer Protection Department,
fort St. George,
Chennai 9.
2. The Commissioner of Civil Supplies,
Consumer Protection Department,
Chepauk, Chennai 5.
3. The District Supply Officer,
Consumer Protection Department,
Krishnagiri & District.

...Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus to call for the records in pursuant to the impugned order passed by the 3rd respondent in proceeding O.Mu.3672/10/F2, dated 04.02.2010 and quash the same and consequently direct the 3rd respondent to renew the license No.14/74-75 standing in the name of late Mr.P.Subramanian and issue in favour of the petitioner within a stipulated period.

For Petitioner : Mr.N.Om Prakash for M/s.R.Prem Narayanan

For Respondents: Mr.T.Girija, G.A., for R1
Mr.L.P.Shanmuga Sundaram,
Spl.G.P. for RR2 & 3

ORDER

This Writ Petition has been filed to quash the order of the third respondent dated 04.02.2010 passed in proceedings in O.Mu.3672/10/F2 and consequently direct the third respondent to renew the license in favour of the petitioner.

2. Heard the learned counsels appearing on either side and perused the materials available on record.

3. The learned Standing Counsel for the respondents 2 and 3 would state that the petitioner is having an appeal remedy before the second respondent, but without exhausting the effective alternative remedy, he has straightaway filed this Writ Petition.

4. The statement of the learned Standing Counsel is not disputed by the learned counsel for the petitioner. Hence, this Writ Petition is disposed of, directing the petitioner to prefer an appeal against the order of the third respondent before the second respondent, within a period of six weeks from the date of receipt of a copy of this order. If any such appeal is filed, the same shall be considered and disposed of in accordance with law. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Secretary to Government,
Co-operation, Food and Consumer Protection Department,
fort St. George,
Chennai 9.

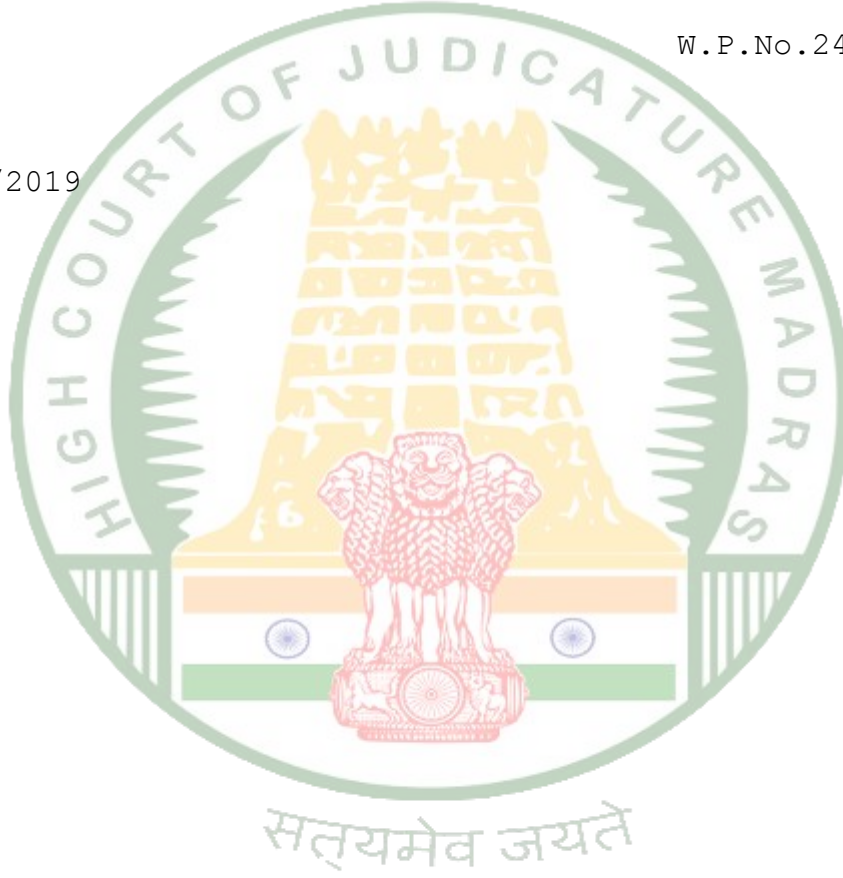
2. The Commissioner of Civil Supplies,
Consumer Protection Department,
Chepauk, Chennai 5.

3. The District Supply Officer,
Consumer Protection Department,
Krishnagiri & District.

+1cc to the Government Pleader Sr.66292
+1cc to Mr.R.Prem Narayanan, Advocate Sr.65862

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rsi[co]
srg 28/09/2019



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