

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.07.2019

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.37450 of 2005
and WP.MP.No.40134 of 2005 and 1796 of 2007
and WV.MP.No.2120 of 2006

S.Muniyasamy

..Petitioner

Vs

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Food and Cooperation Department,
Food Consumer Protection and
Cooperation Department,
Fort St. George, Chennai 9.

2.The District Supply Officer,
Tuticorin.

...Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Declaration, declaring the Rule 5 (7) of the Tamil Nadu Kerosene (Regulation) of Trade Order, 1973 and consequential order passed by the 2nd respondent dated 10.12.2003 in Na.Ka.U.PO 3/8683 of 2003 insofar as not renewing the application for renewal of registration certificate of the petitioner after 30th November 2003 is illegal and beyond the scope of Sec.3(d) and 3(g) of the Essential Commodities Act r/w. Article 19(1)(g) of the Constitution of India and consequently direct the respondents to renew the registration certificate of the petitioner bearing No.29/92 in terms of Rule 5(6) of Regulation order.

For Petitioner :M/s.D.Peter Francis

For Respondents :Mr.B.Anand, G.A., for R1

Mr.L.P.Shanmuga Sundaram,
Spl.G.P., for R2

- - - -

ORDER

This Writ Petition has been filed to direct the respondents to renew the registration certificate of the petitioner.

2. When the matter came up for hearing on 15.07.2019, there was no representation for the petitioner. Hence, the Writ Petition is posed today under the caption "for dismissal". Today, the learned counsel for the petitioner reports no instruction.

3. The learned Government Advocate appearing for the first respondent would state that the petitioner was a licensed kerosene dealer. The petitioner's application to renew the licence was filed after expiry of time and hence, the same was rejected.

4. In view of the above, the Writ Petition is dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

pvs

To

1.The Secretary to Govt.,
State of Tamil Nadu,
Food, Consumer & Consumer Protection Department,
Fort St. George, Chennai 9.

2.The District Supply Officer,
Vellore.

+1 cc to the Government Pleader, Advocate, S.R.No.60695

GP(CO)
SSM(29/08/2019)

सत्यमेव जयते

W.P.No.37450 of 2005

WEB COPY