



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2020

CORAM:

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THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.2747 of 2020

and

W.M.P. (MD) No.2340 of 2020

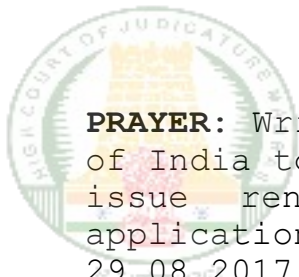
M/s.Hotel Heritage Residency,
Rep. by its Managing Partner,
Mr.N.Jegatheesan,
S/o S.Nagarathinam,
144/1-A. NH7 Bye Pass Road, K.Salai Pudur,
Madurai 625 018

... Petitioner

Vs.

- 1) The Director,
Tamil Nadu Fire and Rescue Services Department,
12, Rukmani Lakshmipathi Salai, Egmore,
Chennai 600 008
- 2) The District Officer,
Fire and Rescue Services Department,
JK Nagar, 1st Main Road,
5th Cross Street,
Narayanapuram, Madurai 625 007.
- 3) The Commissioner,
Prohibition and Excise,
Chepauk, Chennai 600 005
- 4) The District Collector,
Collectorate, Madurai 625 020
- 5) The District Manager,
Deputy Collector (TASMAC) Limited,
Madurai-Rameshwaram Highway,
Kazhugar Kadai Vilakku, Manalur,
Sivagangai District.
- 6) The Additional Regional Excise Officer,
Madurai North Division,
Collector Office Campus,
Madurai.

... Respondents



PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 2nd respondent to issue renewal of Fire License considering the Petitioner's application dated 01.05.2015 and reminders dated 29.11.2016, 29.08.2017 and 02.08.2019.

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For Petitioner : Mr.V.Karthick,
Senior Counsel
For Mr.Babu Rajendran

For RR 1 to 4 & 6 : Mr.M.Murugan,
Government Advocate

For R-5 : Mr.H.Arumugam,
Standing Counsel

ORDER

Mr.M.Murugan, learned Government Advocate, takes notice for respondents 1 to 4 and 6.

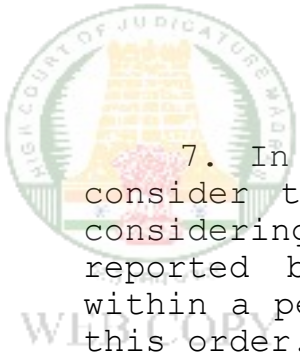
2. By consent, the writ petition is taken up for final disposal at the admission stage itself.

3. This Writ Petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, to direct the 2nd respondent to issue renewal of Fire License, by considering the petitioner's application dated 01.05.2015 and reminders dated 29.11.2016, 29.08.2017 and 02.08.2019.

4. Today, upon instructions, the learned Government Advocate appearing for respondents 1 to 4 & 6 states that, no such application was received from the petitioner earlier, as there is no acknowledgment for having applied for the same. However, an application was said to be made to the first respondent on 09.01.2020 and the same was received only on 11.02.2020. Therefore, he further submitted that the first respondent would require four weeks time for processing the same and for passing appropriate orders in that regard.

5. In the meanwhile, the fourth respondent/ District Collector has passed an order to stop the supply of liquor to the petitioner Hotel, as the petitioner Hotel has not obtained the required license from Fire and Rescue Services Department.

6. Now, the application is in place and the process has also commenced. The order of the fourth respondent dated 03.02.2020 will be kept in abeyance, so far as the petitioner is concerned (Sl.No.7), till an order is passed by the first respondent.



7. In view of the above, the first respondent is directed to consider the application for issuance of renewal of Fire License considering the petitioner's application dated 09.01.2020, as reported by the learned Government Advocate before this Court, within a period of four weeks from the date of receipt of a copy of this order.

8. With the above directions, the writ petition stands disposed of. No costs. Consequently, connected W.M.P.(MD) No.2340 of 2020 is closed.

Sd/-

Assistant Registrar ()

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/ /2020

Sub Assistant Registrar(CS)

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To:

- 1) The Director,
Tamil Nadu Fire and Rescue
Services Department,
12, Rukmani Lakshmipathi Salai, Egmore,
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- 2) The District Officer,
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- 4) The District Collector,
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- 5) The District Manager,
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Madurai-Rameshwaram Highway,
Kazhugar Kadai Vilakku, Manalur,
Sivagangai District.



6) The Additional Regional Excise Officer,
Madurai North Division,
Collector Office Campus,
Madurai.

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+1 CC to SPL.GP (SR-7284[F] dated 20/02/2020)

+1 CC to Mr.BABU RAJENDRAN, Advocate (SR-6901[F] dated 18/02/2020)

+1 CC to Mr.H.ARUMUGAM, Advocate (SR-7016[F] dated 19/02/2020)

Order made in
W. P (MD) No. 2747 of 2020
18.02.2020

VB(28.02.2020) 4P 10C