



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 18.06.2021  
CORAM  
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM  
W.P.No.19400 of 2009  
and M.P.No.1 of 2009

M/s.Scott Breweries & Distilleries (P) Ltd.,  
Rep. By T.N.G. Annamanokar,  
The Chairman and Managing Director,  
No.17/14, Rajapariskokilam Flats,  
Appakannu Street,  
Royapettah,  
Chennai 600 014.

..Petitioner

Vs.

- 1.Director,  
Directorate of Industries & Commerce,  
Government of Puducherry,  
Puducherry.
- 2.Secretary to Government,  
Industries Department,  
Government of Puducherry,  
Puducherry.
- 3.Secretary to Government,  
Prohibition and Excise Department,  
Government of Puducherry,  
Puducherry.
- 4.The Development Commissioner,  
MEPZ Special Economic Zone &  
HEOU's in Tamil Nadu and Pondicherry,  
Andaman & Nicobar Island,  
(Government of India,  
Ministry of Commerce and Industry,  
Department of Commerce),  
Administrative Office Building,  
National Highway - 45,  
Tambaram, Chennai 45.

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent in his No.4594/Ind & Com/T2/2009 dated 08.09.2009, quash the same and further direct the respondents 1 to 3 herein to consider and pass orders in the application filed by the petitioner dated 11.07.2005 for the issuance of Industrial License for the manufacture of IMFL.



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For Petitioner : Mr.K.K.Senthil Velan  
for M/s.Gnana Desikan Law Associates

For Respondents: Mr.J.Kumaran (For R1 to R3)  
Additional Government Pleader (Puducherry)

No appearance (R4)

ORDER

The order impugned dated 8<sup>th</sup> September, 2009 is passed by the Director, Directorate of Industries and Commerce, Government of Puducherry.

2.The learned Additional Government Pleader (Puducherry) appearing on behalf of the respondents 1 to 3 states that the Directorate of Industries and Commerce is not a competent authority for grant of license to IMFL. The competent authority is Commissioner of Excise, Puducherry. However, the fact remains that the impugned order has been passed on 8<sup>th</sup> September, 2009, stating that in view of the policy decision of the Government, the application filed by the petitioner for issue of Licence for manufacture of IMFL was rejected. Almost twelve years lapsed. Further, the impugned order has been passed by an incompetent authority. This being the factum, the petitioner is at liberty to submit a fresh application before the competent authority and in the event of receiving any such application, the competent authority shall consider the same on merits and in accordance with law and pass an order as expeditiously as possible.

3.With these observations, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-  
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

gsa

To

1.Director,  
Directorate of Industries & Commerce,  
Government of Puducherry, Puducherry.

2.Secretary to Government,  
Industries Department,  
Government of Puducherry, Puducherry.



3. Secretary to Government,  
Prohibition and Excise Department,  
Government of Puducherry, Puducherry.

4. The Development Commissioner,  
MEPZ Special Economic Zone &  
HEOU's in Tamil Nadu and Pondicherry,  
Andaman & Nicobar Island,  
(Government of India,  
Ministry of Commerce and Industry,  
Department of Commerce),  
Administrative Office Building,  
National Highway - 45,  
Tambaram, Chennai 45.

+1cc to M/s.Gnanadesikan Law, Associates Advocate SR.No. 28475

+1 cc to Government Pleader Sr.No. 28620

W.P.No.19400 of 2009

PMK (CO)

B.VC(23.07.2021)