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Cont.P.No.520 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2021

CORAM

THE HON'BLE **MR.JUSTICE C.SARAVANAN**

Cont.P.No.520 of 2021

and

Sub.Appl.Nos.125 & 126 of 2021

(Through Video Conferencing)

Mrs.S.Kasthuri,
No.30, Ramalingapuram Street,
Mudaliarpet,
Pondicherry – 605 004

... Petitioner

Vs.

Mr.T.Sudhakar,
Deputy Collector (Excise),
Office of Deputy Collector (Excise),
Government of Puducherry,
Puducherry.

... Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent herein for the willful breach and disobedience of the directions issued by this Court in W.P.No.12190 of 2016 dated 27.02.2020 according to law.

For Petitioner : Mr.Natarajan for
M/s.Prakash Adiadam

For Respondent : Mrs.Mala, Govt. Pleader (Pondy)



ORDER

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This Contempt Petition has been filed to punish the respondent herein for the willful breach and disobedience of the directions issued by this Court in W.P.No.12190 of 2016 dated 27.02.2020.

2. The learned counsel appearing for the petitioner submits that though this Court has directed the respondents therein including the respondent herein to permit the petitioner to carry on business for the residual period of licence for which she could not carry on business, the respondent herein has asked the petitioner to pay a sum of Rs.51,96,056/- towards renewal fee for the years from 2017-2018 to 2020-2021 together with interest as prescribed under the Puducherry Excise Act & Rules, 1970 vide Communication dated 18.02.2021 bearing reference No.3004/DCE/S2/FL.2/Vol.II. The details of payment of renewal fee demanded in Communication dated 18.02.2021 are as under:-

<i>Licence Years</i>	<i>Licence Fee to be paid</i>	<i>Interest @ 12%</i>	<i>Total (in Rs.)</i>
2017-18	10,00,000	4,79,014	14,79,014
2018-19	10,00,000	3,59,014	13,59,014
2019-20	10,00,000	2,39,014	12,39,014
2020-21	10,00,000	1,19,014 (upto 25 th Feb.2021)	11,19,014
Total			51,96,056



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3. The learned Government Pleader (Pondy) appearing for the respondent has filed a Communication dated 16.07.2021 bearing reference No.3004/DCE/S2/FL.2/Vol.II/741 passed by the respondent after this Contempt Petition was taken up for hearing. In the said Communication, the petitioner was permitted to reopen the liquor vend and to carry on the business operation for a period of six months commencing from 01.08.2021 to 31.01.2022. The petitioner has been asked to pay the revised payment of licence fee including the aforesaid period together with interest. The details of the revised payment of licence fee are as under:-

<i>Licence Years</i>	<i>Licence Fee to be paid</i>	<i>Interest @ 12% (upto 31st July 2021)</i>	<i>Total (in Rs.)</i>
2017-18	10,00,000	5,30,302	15,30,302
2018-19	10,00,000	4,10,302	14,10,302
2019-20	10,00,000	2,90,302	12,90,302
2020-21	10,00,000	1,70,302	11,70,302
2021-22	10,00,000	50,302	10,50,302
Total			64,51,510

4. As far as the above demand of Rs.64,51,510 is concerned, it is left open for the petitioner to work out her remedy in accordance with law.

5. The respondent is directed to allow the petitioner to operate the liquor vend/shop for a period of six months commencing from 01.08.2021 to



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31.01.2022, being the residual period of licence for the year 2016-17 which was not allowed to be operated the liquor vend/shop due to the interim order of this Court.

6. In view of the above undertaking of the respondent to comply with the order dated 27.02.2020 passed by this Court in W.P.No.12190 of 2016, this Contempt Petition is closed and all sub applications are also closed. No cost.

SD/-
ASSISTANT REGISTRAR(COMM.CASES)

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//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)
from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.
GS/07/09/2021

To

The Deputy Collector (Excise),
Office of Deputy Collector (Excise),
Government of Puducherry,
Puducherry.