



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.27439 of 2021

(Through Video Conferencing)

Tmt.Nirmala,
W/o.M.Thomas

... Petitioner

Vs

1.The Deputy Commissioner-cum-Deputy Collector,
Order of the Deputy Commissioner (Excise),
Thattanchavadi, Puducherry - 605 009.

2.The Commissioner,
Puducherry Municipality,
Kamban Kalai Arangam,
Lal Bahadur Sastri Street, Puducherry - 605 001.

3.M/s.Spice Route,
Represented by its Partner,
Tmt.R.Tamilselvi, W/o.Ramu,
No.236, Cuddalore Salai,
Pooranankuppam Post,
Thavalakuppam, Puducherry - 605 007.

4.M/s.Spice Route,
Represented by its Partner,
Tmt.R.Bavithra, D/o.Ramu,
No.6, Lal Bahadur Sastri Street,
(Roman Rolland Street Cutting)
Puducherry - 605 001.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first and second respondents to take action against the third and fourth respondents based on the petitioner's complaint dated 29.11.2021 and to direct the first respondent to cancel the License vide License No.313/FL-2/2019-2020 under Tourism Category issued to M/s.Spice Route which was obtained by the third and fourth respondents in fraudulent manner and the same was also expired in 2017 onwards.



For Petitioner : Ms.R.Kalaiyarasi

ORDER

The petitioner has an alternate remedy before the Rent Control Court as to whether the third and fourth respondents can continue in the property leased out to them on 19.11.2020. Therefore, this writ petition is not maintainable.

2. The allegation that the third and fourth respondents are selling Alcohol, Drugs and indulging in loud music, is a law and order problem which is to be investigated and decided by appropriate authority. Correctness of the allegations cannot be decided in this writ petition.

3. Therefore, this Writ Petition is dismissed with liberty to the petitioner to approach appropriate authority including the Law Enforcing Authorities for taking steps against the third and fourth respondents in accordance with law. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

arb
To

1.The Deputy Commissioner-cum-Deputy Collector,
Order of the Deputy Commissioner (Excise),
Thattanchavadi, Puducherry - 605 009.

2.The Commissioner,
Puducherry Municipality,
Kamban Kalai Arangam,
Lal Bahadur Sastri Street,
Puducherry - 605 001.

+1 cc to Ms.R.Kalaiyarasi, Advocate Sr.NO. 69474

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NRL(CO)

A.SK(19.01.2022)