



W.P.(MD)No.21454 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.21454 of 2022

and

W.M.P.(MD)No.15610 of 2022

G.Venkatesan

... Petitioner

Vs.

The Assistant Commissioner,
Prohibition and Excise Department,
Thanjavur

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the Respondent to issue the INDENT for supply of 4000 units of liquor in favour of the Petitioner in the light of the FL 2 licence issued by the Commissioner, Prohibition and Excise, Chennai vide F.L.2.No.13/-2022-2023 dated 16.05.2022 and proceedings issued by the District Collector, Thanjavur in his proceedings in Na.Ka.No.4622/2020/X2 dated 21.05.2022.

For Petitioner : Mr.S.Vinayak

For Respondent : Mr.M.Siddharthan
Additional Government Pleader



W.P.(MD)No.21454 of 2022

ORDER

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This Writ Petition has been filed to direct the Respondent to issue the indent for supply of 4000 units of liquor in favour of the Petitioner in the light of FL 2 licence issued by the Commissioner, Prohibition and Excise, Chennai, vide F.L.2.No.13/-2022-2023 dated 16.05.2022 and proceedings issued by the District Collector, Thanjavur vide proceedings in Na.Ka.No.4622/2020/X2, dated 21.05.2022.

2. It is submitted by the learned counsel for the Petitioner that the Petitioner is the Secretary of Thottapatti Recreation Club at Thanjavur District. The said Club is registered under the Tamil Nadu Societies Registration Act, 1975. As per the licence granted in favour of the Petitioner, the Commissioner of Prohibition and Excise, Chennai, was allowed to possess the liquor bottles of 4000 units quantity by the Club. Accordingly, the District Collector, Thanjavur, after scrutinizing all the required certificates and other documents including the licence, issued proceedings in Na.Ka.No.4622/2020.X-2 dated 21.05.2022, whereby, directed the Petitioner to run the Recreation Club by supplying liquor to the



W.P.(MD)No.21454 of 2022

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members of the Club. He further submitted that even though the District Collector has granted permission wayback on 21.05.2022, now it is more than four months lapsed, the Respondent has not issued the indent for supplying liquors. Hence, in this regard, the Petitioner submitted a representation on 16.09.2022 to the Respondent to grant permission to purchase the required units of liquor and beer from TASMAC Depot, Thanjavur. However, till date, the Respondent has not taken any action against the representation of the Petitioner. Hence, the present Writ Petition has been filed.

3. It is submitted by the learned Additional Government Pleader appearing for the Respondent that the representation of the Petitioner would be considered and orders passed thereon in accordance with law.

4. Heard the learned counsel appearing for the parties and perused the materials placed before this Court.



W.P.(MD)No.21454 of 2022

WEB COPY

5. In view of the same and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the Respondent herein to consider the Petitioner's representation dated 16.09.2022, on its own merits and pass appropriate orders in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the Respondent to consider the representation on its own merits.

6. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

27.09.2022

Index : Yes / No

Speaking Order : Yes / No

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W.P.(MD)No.21454 of 2022

To

The Assistant Commissioner,
Prohibition and Excise Department,
Thanjavur.



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W.P.(MD)No.21454 of 2022

MOHAMMED SHAFFIQ, J.

vji

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