



W.P. No.24328 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2024

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.24328 of 2023

and

W.M.P. No.23769 of 2023

D.Bernard,
Secretary,
Central Paramilitary Force
Ex-Serviceman Welfare Association (TN),
No.24, Main Road, Rajiv Gandhi Nagar,
Avadi, Chennai-600 055.

... Petitioner

Vs.

- 1.The Union of India,
Rep. By Secretary to Government,
Ministry of Home Affairs,
North Block, New Delhi-110 001.
- 2.The Chairman,
Welfare and Rehabilitation Board,
Ministry of Home Affairs,
Room No.204 and 205,
II Floor, F-Wing, Nirman Bhavan,
New Delhi-110 001.
- 3.The Director General,
Central Reserve Police Force,
GCO Complex, Block No.1, Lodhi Road,
New Delhi-110 003.
- 4.The Director General,



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Central Industrial Security Force,
No.13, GCO Complex,
Lodhi Road, New Delhi-110 003.

5.The Director General,
Indo-Tibetan Border Police Force,
GCO Complex,
Lodhi Road, New Delhi-110 003.

6.The Inspector General of Police,
Central Reserve Police Force,
Southern Sector,
Rd. No.10, C-MP/MLA Colony,
Jubilee Hills, Hyderabad-500 033.

7.The Inspector General of Police,
Rapid Action Force,
East Block, R.K.Puram, Vasanth Vihar,
New Delhi-110 066.

8.The Chairman,
O/o. The Deputy Inspector General of Police,
Group Centre, Central Reserve Police Force,
Avadi, Chennai-600 055.

9.The Commandant,
105, Rapid Action Force,
Mahalingapuram Colony,
Vellalore, Coimbatore-641 111.

10.The Commandant,
45, Battalion Indo-Tibetan Border Police Force,
Idaiyapatti Camp Post, South Amur, Madurai-625 110.

11.The Commissioner,
Prohibition and Excise Department,
Government of Tamil Nadu,
Chepauk, Chennai-600 005.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records on the file of 8th Respondent in No.C.XVII-1/2023-24/MD(CLMS)GC(A) dated 22.07.2023 and quash the same and consequently direct the 8th, 9th and 10th Respondents to procure liquor based on FL-4A license already possess and to distribute to the Members of the Petitioners Association.

For Petitioner : Mr.N.Palanikumar

For Respondents : Mr.M.Karthikeyan
Senior Panel Counsel (for R1 to R10)

No appearance (for R11)

ORDER

The present writ petition is filed praying for a Writ of Certiorarified Mandamus calling for the records on the file of 8th Respondent in No.C.XVII-1/2023-24/MD(CLMS)GC(A) dated 22.07.2023 and quash the same and consequently direct the 8th, 9th and 10th Respondents to procure liquor based on FL-4A license and to distribute to the Members of the Petitioners Association.

2. The prayer in this writ petition has two limbs:

i) One is challenging the order dated 22.07.2023 however when the matter was taken up for hearing today, it was submitted by the learned counsel for the Respondents that license has now been granted/issued during August 2023 and nothing may survive insofar as the challenge to the order dated 22.07.2023 is



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concerned.

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ii) The second prayer namely to direct distribution of liquor to the members of the petitioner Association, it is submitted that it is being done through Central Liquor Management System (CLMS). It is further submitted by the learned counsel for the petitioner that the CLMS is not yet functional completely and would submit that they have also submitted a representation.

3. The learned counsel for the petitioner would submit that they may be granted liberty to file a fresh representation seeking distribution of liquor to the petitioner Association and would submit that under similar circumstances interim orders have been made by the High Court of Kerala and the Madurai Bench of this Court.

4. Mr.M.Karthikeyan, learned Senior Panel Counsel for the Respondents 1 to 10 would submit that if any such representation is filed, the same would be considered taking into account the materials placed including the order of the High Courts and orders would be passed in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order.



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5. In view thereof, the writ petition stands disposed of with a direction to the Respondents to consider the representation of the petitioner seeking distribution of liquor to retired Central Armed Police Personnel through CLMS taking into account the materials placed including the orders of the High Courts and pass orders in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order after affording the petitioner a reasonable opportunity of hearing. No costs. Consequently, the connected miscellaneous petition is closed.

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Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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To:

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Ministry of Home Affairs,
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MOHAMMED SHAFFIQ, J.

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