



WEB COPY



W.P.No.26042 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.09.2024

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THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.26042 of 2024

V.M.C.S.Rajaganapathy ... Petitioner

Vs.

1. The Commissioner,
Exercise Department,
Puducherry.
2. The Deputy Commissioner,
Exercise Department,
Karaikal.
3. V.M.C.S.Manoharan
4. Usha Devi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the Respondents 1 and 2 to consider the representation dated 02.11.2022 of the Petitioner and to take appropriate action in accordance with law in respect of FL2 license of Ganesh Wines in the name of Tmt.S.Susila and FL2 license of Ganesh Wines in the name of Tmt.S.Susila.



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For Petitioner : Ms.Chandini Rajkishore
for Mr.T.Sai Krishnan

For Respondent : Mr.J.Kumaran
Additional Government Pleader (P)
(R1 and R2)

ORDER

This writ petition has been filed seeking for a direction to the Respondents 1 and 2 to consider the representation dated 02.11.2022 of the Petitioner and to take appropriate action in accordance with law in respect of FL2 license of Ganesh Wines in the name of Tmt.S.Susila and FL2 license of Ganesh Wines in the name of Tmt.S.Susila.

2. Mr.J.Kumaran, learned Additional Government Pleader takes notice on behalf of the Respondents 1 and 2.

3. By consent, this Writ Petition is taken up for final disposal at the stage of admission itself.



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4. The learned counsel for the Petitioner would submit that the Petitioner is the elder brother of the Respondents 3 and 4. The Petitioner's mother entered into a lease agreement with one P.R.N.Subramanian and R.Kumar for running the Wine shop in the name of the Petitioner's mother. While so, the Petitioner's mother passed away on 27.10.2022. Even after her death, the Respondents 3 and 4 have not chosen to transfer the license in their names and continued to enjoy the benefits of FL2 license standing in the name of the Petitioner's mother by collecting rents from the licensee and not paying the Petitioner any amounts for which he is legally entitled to as one of the legal heirs of erstwhile licensee. In this regard, the Petitioner made a representation to the 2nd Respondent on 02.11.2022 requesting to suspend the FL2 license. As the same did not evoke any response, the Petitioner has filed this Writ Petition seeking for the aforesaid relief.

5. Mr.J.Kumaran, learned Additional Government Pleader appearing for the Respondents 1 and 2 submitted that the Respondents 1



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and 2 may be directed to consider and pass orders on the representation of the Petitioner dated 02.11.2022 within a stipulated period.

6. In view of the limited scope of relief sought for by the Petitioner, this Court, without expressing any opinion on the merits of the case, directs the Respondents 1 and 2 to consider and pass orders on the representation of the Petitioner dated 02.11.2022, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the Petitioner as well as to the Respondents 3 and 4.

7. With the above directions, this writ petition is disposed of. No costs.

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Speaking/Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
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To

1. The Commissioner,
Exercise Department,
Puducherry.
2. The Deputy Commissioner,
Exercise Department,
Karaikal.

KRISHNAN RAMASAMY.J.,



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