



W.P. (MD) No.709 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD) No.709 of 2024
and W.M.P. (MD) No.706 of 2024**

Satheesh Kumar

... Petitioner

-VS-

1. The Commissioner,
Prohibition and Excise Department,
Office of the Prohibition and Excise Department,
Chepauk,
Chennai – 600 005.
2. The District Collector,
Office of the District Collector,
Nagercoil,
Kanyakumari District.
3. The Superintendent of Police,
Officer of the Superintendent of Police,
Nagercoil,
Kanyakumari District.
4. The Revenue Divisional Officer/Deputy Collector,
The Revenue Divisional Office,
Thakkalai,
Kanyakumari District.



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5. The Assistant Commissioner,
Prohibition and Excise Department,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 8 not to grant any permission for opening an FL-2 Recreation Club in the property comprised in S.No.181/10, situate at Kovilvilai, Arunmanai Town Panchayat, Vilavancode Taluk, Kanyakumari District in favour of the 9th respondent by considering the petitioner representation, dated 20.12.2023.

For Petitioner	:	Mr.K.Rajesh
For R1, R2, R4 to R7 & R8	:	Mr.P.Thilakkumar Government Advocate

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for issuance of writ of mandamus directing the respondents 1 to 8 not to grant any permission for opening an FL-2 Recreation Club in the property comprised in S.No. 181/10, situate at Kovilvilai, Arunmanai Town Panchayat, Vilavancode



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Taluk, Kanyakumari District in favour of the 9th respondent by considering the petitioner representation, dated 20.12.2023.

2. When the matter is taken up for hearing, the learned Government Pleader would submit that the application is pending before the Commissioner (Excise), the first respondent herein.

3. Though this Writ Petition has been filed for the abovesaid prayer, the learned counsel for the petitioner has restricted his prayer and he would submit that an appropriate direction may be issued to the first respondent to consider his objections if any such permission is granted to the 9th respondent.

4. In the light of the aforesaid submission made by the learned counsel for the petitioner, we are inclined to dispose of the Writ Petition with a direction to the 1st respondent to consider the petitioner's objections if the application of the 9th respondent is considered by the 1st respondent.



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5. With the above direction, this Writ Petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.]

[R.V., J.]

11.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
CM



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R.VIJAYAKUMAR, J.

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