



W.P. No.39533 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.39533 of 2024

and

W.M.P. No.42817 of 2024

K.Singaravelu

... Petitioner

Vs.

- 1.Union of India,
Rep. By the Secretary to Government (Excise),
Government of Puducherry,
Secretariat, Beach Road,
Puducherry-605 001.
- 2.The Secretary-cum-Excise Commissioner,
Government of Puducherry,
Office of the Secretary-cum-Excise Commissioner,
Secretariat, Beach Road,
Puducherry-605 001.
- 3.The Deputy Commissioner (Excise),
O/o. Of the Deputy Commissioner (Excise),
Government of Puducherry,
Industrial Estate Road,
Thattanchavady, Pondicherry-605 009.
- 4.M/s.NTS Wines,
Represented by its Managing Partner Mr.A.N.Sambath,
Having business registered address at No.140,
M.G.Road, Muthialpet,



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Puducherry-605 003.

5.A.N.Sambath

6.N.S.Shobana

7.S.Anitha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent Nos.1 to 3 to consider and take appropriate action on the representation dated 15.11.2024 submitted by the petitioner for cancelling/ withdrawing/ revocation of the IMFL Licence No.21/ FL-1 granted to respondent Nos.5 to 7 for running Liquor Shop at No.140, M.G.Road, Muthialpet, Puducherry-605 003 in the name and style of M/s.NTS Wines and seal the premises forthwith.

For Petitioner : Mr.Prakash Adiapadam

For Respondents : Mr.J.Kumaran
1 to 3 Additional Government Pleader (Pondicherry)

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to the Respondents 4 to 7 is dispensed with.

2. The present writ petition is filed for a writ of Mandamus directing the Respondents 1 to 3 to consider the representation dated 15.11.2024 submitted by



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the petitioner cancelling/ withdrawing/ revoking the IMFL license No.21/FL FL-1 granted to respondent Nos.5 to 7 for running Liquor Shop at No.140, M.G.Road, Muthialpet, Puducherry-605 003 in the name and style of M/s.NTS Wines and seal the premises forthwith.

3. It is submitted by the learned counsel for the petitioner that the Respondents 4 to 7 had created a forged lease agreement and on the strength of the forged lease agreement has obtained the IMFL license.

4. It is further submitted by the learned counsel for the petitioner that a complaint has been lodged before the CBCID, Pondicherry, against the alleged act of forgery committed by the Respondents 4 to 7.

5. The learned counsel for the Respondents 1 to 3 would submit that they would consider and pass orders on the above representation within a period of 12 weeks after issuing notice to the Respondents 4 to 7.

6. In view of the same, 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 Respondents 1 to 3 to consider the petitioner's



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representation dated 15.11.2024, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner and any other interested persons/stake holders. Endeavour shall be made to complete the enquiry, after issuing notice to the Respondents 4 to 7, within a period of 8 weeks and not later than 12 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, the concerned respondent shall consider the representation on its own merits and in accordance with law.

7. The writ petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

02.01.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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To:

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Secretariat, Beach Road,
Puducherry-605 001.
2. The Secretary-cum-Excise Commissioner,
Government of Puducherry,
Office of the Secretary-cum-Excise Commissioner,
Secretariat, Beach Road,
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3. The Deputy Commissioner (Excise),
O/o. Of the Deputy Commissioner (Excise),
Government of Puducherry,
Industrial Estate Road,
Thattanchavady, Pondicherry-605 009.
4. Mr. A. N. Sambath,
The Managing Partner
M/s. NTS Wines,
Having business registered address at No. 140,
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MOHAMMED SHAFFIQ, J.

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