

(2024) 02 KL CK 0065

In the High Court Of Kerala

Case No : Writ Petition (C) No.4965 Of 2024

Hotel Emerald Palace

APPELLANT

Vs

District Collector

RESPONDENT

Date of Decision : 08-02-2024

Acts Referred:

Citation : (2024) 02 KL CK 0065

Hon'ble Judges : N. Nagaresh, J

Bench : Single Bench

Advocate : S.Sreekumar, K.Vijayan, Namitha Rajesh, S.Gopinathan

Final Decision : Disposed Of

Judgement

N. Nagaresh, J

1. The petitioner-Hotel is aggrieved by Ext.P3 proceedings of the District Collector dated 03.02.2024, whereby the District Collector has directed to close the liquor shops within 2 Km radius from Kottiyam Sree Maha Ganapathy Temple in connection with the Avittom Thirunal festival.

2. The petitioner states that the petitioner-Hotel is functioning beyond 2 Km radius from the Kottiyam Sree Maha Ganapathy Temple but the petitioner has been served with Ext.P3. The petitioner states that Ext.P3 cannot be imposed on petitioner-Hotel.

3. I have heard the learned counsel for the petitioner and the learned Senior Government Pleader representing the respondents.

4. The specific case of the petitioner is that petitioner-Hotel is functioning beyond 2 Km from the Kottiyam Sree Maha Ganapathy Temple. If that be so, Ext.P3 order of the District Collector cannot have effect on the functioning of the petitioner-Hotel. Be that as it may, the petitioner has filed Exts.P4 and P5 representations in this regard. In the facts of the case, the grievance of the petitioner can be substantially redressed, if the 2nd respondent considers Ext.P5

representation.

The writ petition is therefore disposed of directing the 2nd respondent to consider Ext.P5 representation submitted by the petitioner and pass appropriate orders thereon as expeditiously as possible and at any rate before 10.02.2024.