

(2012) 09 MAD CK 0165

In the Madras High Court

Case No : Writ Petition No. 24138 of 2012 and M.P. No. 1 of 2012

Hotel Srinivas

APPELLANT

Vs

The State of Tamil Nadu

RESPONDENT

Date of Decision : 05-09-2012

Acts Referred:

Citation : (2012) 09 MAD CK 0165

Hon'ble Judges : M. Jaichandren, J

Bench : Single Bench

Advocate : R. Thiagarajan, for the Appellant; R. Ravichandran, Additional Government Pleader, for the Respondent

Final Decision : Dismissed

Judgement

Honourable Mr. Justice M. Jaichandren

1. Heard the Learned Counsel appearing for the petitioner and the Learned Counsel appearing on behalf of the respondents. At this stage of the hearing of this writ petition, it had been submitted, on behalf of the respondents, that the impugned order, suspending the licence issued in favour of the petitioner, may be set aside. However, the petitioner may be directed to participate in the enquiry to be conducted by the respondent concerned, pursuant to the notice issued to him, as per the procedures prescribed, under Rule 22(1) of The Tamil Nadu Liquor(License & Permit) Rules, 1981.

2. It had been further submitted that the respondent concerned would consider the objections filed by the petitioner, if any, and pass appropriate orders thereon, based on the enquiry, on merits and in accordance with law, after giving an opportunity of hearing to the petitioner.

3. It had been further submitted that it would be open to the petitioner to run the bar in question, by following the procedures established by law and as per the license conditions. In view of the above, the impugned order, suspending the licence issued in favour of the petitioner, is set aside. The petitioner is directed to

participate in the enquiry to be conducted by the respondent concerned, pursuant to the notice issued to him. The enquiry shall be conducted, as per the procedures prescribed, under Rule 22(1) of The Tamil Nadu Liquor(License & Permit) Rules, 1981. The respondent concerned shall conduct the enquiry and pass appropriate orders thereon, as expeditiously as possible, not later than four months from the date of receipt of a copy of this order. The authorities concerned shall enable the petitioner to run the bar in question, by removing the seal, which have been put up by them, pursuant to the passing of the impugned order.

The writ petition is ordered accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.