

(1992) 08 MAD CK 0049

In the Madras High Court

Case No : Writ Petition No. 11399 of 1992

Smt. D. Suseela

APPELLANT

Vs

The Assistant Collector, Padmanabhapuram, Thakalay Post,
Kanyakumari District and The Joint Commissioner, Civil
Supplies, Chepauk, Madras-600005

RESPONDENT

Date of Decision : 25-08-1992

Acts Referred:

Citation : (1992) 08 MAD CK 0049

Hon'ble Judges : Bakthavatsalam, J

Bench : Single Bench

Advocate : R. Antony Xavier, for the Appellant; M.M. Sundaresh, Government Advocate, for the Respondent

Judgement

Bakthavatsalam, J.—Pending revision before the Joint Commissioner of Civil Supplies and Consumer Protection, the petitioner filed a stay petition against the cancellation of a licence under the Tamil Nadu Essential Trade Articles (Regulation of Trade) Order, 1984. By the impugned order dated 10/07/1992, the petition for stay has been rejected without assigning any reasons. After hearing Mr. Antony Xavier, Learned Counsel for the petitioner, I am of the view that the Joint Commissioner, i.e., the Revisional Authority has not applied his mind before disposing the stay petition by the impugned order dated 10/07/1992. In view of that, when the writ petition came up for admission, I ordered notice to the learned Government Advocate and after hearing his objections, I am satisfied that this is a matter in which the impugned order has got to be set aside and accordingly, it is set aside. The 2nd respondent is directed to dispose of the revision petition filed by the petitioner on merits and in accordance with law taking note of the order of Govindasamy, J., in WP. No. 1920 of 1992 dated 31-3-1992 and after giving an opportunity to the petitioner on or before 30-9-1992. Till then, the order under appeal before the 2nd respondent shall stand stayed.

2. The writ petition is accordingly ordered. No order as to costs.