

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.1552/2002  
(From the judgement and order dated 13/09/2001 in WA 15/96  
of The HIGH COURT OF JUDICATURE AT MADRAS)

M. THANGARAJ

Petitioner (s)

VERSUS

STATE OF TAMILNADU & ORS.

Respondent (s)

Date : 01/03/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL  
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s) Mr. K V Viswanathan, Adv.  
Mr. K V Venkataraman, Adv.  
Mr. K.R. Nambiar, Adv.

For Respondent (s)

UPON hearing counsel the Court made the following  
O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....T.....J.R

Learned counsel submits that even after the petitioner was permitted to locate the arrack shop in Ward No. 29 but he was prevented to run the shop because a third party Rajavelu got himself impleaded as a respondent and obtained a stay restraining the petitioner from relocating the shop. The permission to relocate indicated that there was a mutual mistake with regard to the area in question and for no fault of the petitioner he was not able to run the shop. Therefore, the licence fee should have been refunded.

Issue notice.

(D.P. WALIA)  
Court Master

(S.L. GOYAL)  
Court Master