

Dr. Xavier Mathew vs the Hotel & Restaurants Approval and Classification Committee(Hracc)

Dr. Xavier Mathew vs the Hotel & Restaurants Approval and Classification Committee(Hracc)

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Court : Kerala

Decided On : Mar-03-2022

Judge : Honourable Mr.Justice N.Nagaresh

Appeal No. : WP(C)/1463/2022

Appellant : Dr. Xavier Mathew

Respondent : The Hotel & Restaurants Approval and Classification Committee(Hracc)

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH
THURSDAY, THE 3RD DAY OF MARCH 2022 / 12TH PHALGUNA,
1943 WP(C) NO. 1463 OF 2022 PETITIONER: DR. XAVIER MATHEW
AGED 67 YEARS EDAKKADKUDI HOUSE, NEAR LAKESHORE
HOSPITAL, PANANGAD, ERNAKULAM DISTRICT, PIN -682 506.
GILBERT GEORGE CORREYA GEORGIE JOHNY ANITA ANN
GEORGE ARDRA RADHAKRISHNAN ABHIJITH M.A RESPONDENTS:

1 THE HOTEL & RESTAURANTS APPROVAL AND CLASSIFICATION COMMITTEE(HRACC) MINISTRY OF TOURISM, C1-HUTMENTS, DALHOUSIE ROAD, NEW DELHI - 110 011 REPRESENTED BY ITS MEMBER SECRETARY. 2 THE HOTEL & RESTAURANTS APPROVAL AND CLASSIFICATION COMMITTEE(HRACO)(SOUTH) REPRESENTED BY ITS REGIONAL DIRECTOR & CONVENER, SOUTHERN REGIONAL OFFICE, 154, ANNA SALAI CHENNAI - 600 002. 3 STATE OF KERALA REPRESENTED BY SECRETARY, TOURISM DEPARTMENT, GOVT. SECRETARIAT, THIRUVANANTHAPURAM - 695 001. MANU S., ASG OF INDIA Girish Kumar V R1 & R2 SRI. APPU P.S, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03.03.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C) NO. 1463 OF 2022 2

JUDGMENT

Dated this the 3rd day of March, 2022 The petitioner, who is in the hospitality business, has applied for Star Classification of his Hotel named M/s.Grand Residency. The petitioner states that M/s.Grand Residency satisfies all the criteria prescribed for Four Star Classification. The petitioner has submitted application for Classification, which is complete in all respects. Despite submitting application for Classification of the Hotel and despite paying the prescribed fee, the respondents are hesitant to inspect the Hotel and pass orders granting Star Classification. Unless this Court interferes in the matter and gives positive directions to respondents 1 and 2, the petitioner will be put to difficulties, contends the learned counsel for the petitioner.

2. The learned Central Government Counsel

representing respondents 1 and 2 submits that a large number WP(C) NO. 1463 OF 2022 3 of applications for Star Classifications have been submitted during the last three years and effective inspections could not be conducted due to the nationwide Covid-19 pandemic. Respondents 1 and 2 are taking up cases one by

one. Respondents 1 and 2 will be able to inspect the Hotel premises of the petitioner, within a period of six weeks. In the facts and circumstances of the case, the writ petition is disposed of directing the 2 nd respondent to cause inspection of the Hotel premises of the petitioner and take a final decision on the application for classification submitted by the petitioner, within a period of six weeks. sd/-
N.NAGARESH JUDGE hmh WP(C) NO. 1463 OF 2022 4 APPENDIX OF WP(C) 1463/2022 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE APPLICATION

NO.071120CSW962 DATED 12/11/2020 OBTAINED FROM THE NATIONAL INTEGRATED DATABASE OF HOSPITALITY INDUSTRY. Exhibit P2 TRUE COPY OF THE JUDGMENT DATED THIS HONBLE COURT RESPONDENTS EXHIBIT NIL

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