

Adv. K.Vijayan vs State of Kerala

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Court : Kerala

Decided On : Mar-16-2022

Judge : Honourable the Chief Justice Mr.S.Manikumar,Honourable Mr. Justice Shaji P.Chaly

Appeal No. : WP(C)/13307/2021

Appellant : Adv. K.Vijayan

Respondent : State of Kerala

Advocate for Pet/Ap. : Mr. C. Rajendran

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR & THE HONOURABLE MR. JUSTICE SHAJI P.CHALY WEDNESDAY, THE 16TH DAY OF MARCH 2022 / 25TH PHALGUNA, 1943 WP(C) NO. 13307 OF 2021 PETITIONER/S: ADV. K.VIJAYAN AGED 66 YEARS S/O. KRISHNA PILLAI, RESIDING AT KRIPA, NADUVILAKARA P. O., MUKHATHALA, KOLLAM DISTRICT - 691 577. C.RAJENDRAN B.K.GOPALAKRISHNAN RESPONDENT/S:

1 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT OF KERALA, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001. 2 THE SECRETARY TAXES
DEPARTMENT (EXCISE), ROOM NO.373, 1ST FLOOR, MAIN BLOCK,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 3 EXCISE
COMMISSIONER EXCISE COMMISSIONERATE, VIKAS BHAVAN P.
O., THIRUVANANTHAPURAM - 695 033. 4 MANAGING DIRECTOR
KERALA STATE BEVERAGES CORPORATION LTD., KSBC HEAD
OFFICE, BEVCO TOWER, PALAYAM, VIKAS BHAVAN P. O.,
THIRUVANANTHAPURAM - 695 033. 5 STATE POLICE CHIEF POLICE
HEADQUARTERS, VAZHUTHACAUD P. O., 6 GENERAL SECRETARY
FEDERATION OF KERALA HOTELS ASSOCIATION, FKHA HOUSE,
EVRA 371, EASWARAVILASOM ROAD,, VAZHUTHACAUD P. O., R1.
R3 & R5 BY SHRI.N.MANOJ KUMAR, STATE ATTORNEY
SRI.P.G.PRAMOD, GOVERNMENT PLEADER R4 BY SRI. T. NAVEEN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16.03.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:
W.P.(C) No. 13307/2021 :2: Dated this the 16th day of March, 2022.

JUDGMENT

S. MANIKUMAR,CJ. The petitioner, an advocate practising in this Court, has filed
the instant writ petition as a Public Interest Litigation seeking the following reliefs:

1. Issue a writ of mandamus, or any other appropriate order or directions

compelling and commanding the respondents 1 to 3 to issue necessary orders to
start sale of liquor in the Bar Hotels within the State having license to do so
immediately.

2. Issue a writ of mandamus, or any other appropriate order or directions

compelling and commanding the respondents 1 to 3 evolve effective, efficacious
speedy measures for the sale of liquor in such a way so as to avoid the gathering
of people for purchasing the same from the Bevco outlets.

3. To issue in the nature of mandamus or any other appropriate order or direction compelling and commanding the respondents 1 and 5 to take effective steps against the violation of Covid-19 Protocol and the provisions in Ext.P2 Regulation and P3 Ordinance.

2. Pending disposal of the writ petition, interim orders have been granted periodically.

3. On this day, when the matter came up for consideration, Mr.

C. Rajendran, learned counsel for the petitioner, submitted that the W.P.(C) No. 13307/2021 :3: reliefs sought for in the writ petition have been redressed. Therefore, nothing remains to be adjudicated in this case. Placing on record the said submission, this writ petition is closed. S. MANIKUMAR, CHIEF JUSTICE. SHAJI P. CHALY, JUDGE. Rv

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