

**IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT  
THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN**

**Thursday, the 16<sup>th</sup> day of September 2021 / 25th Bhadra, 1943  
CONTEMPT CASE(C) NO. 982 OF 2021(S) IN WP(C) 12881/2017**

**PETITIONER/1ST PETITIONER**

**MY HINDUSTAN PAINTS, KURUPPAN ROAD, THRISSUR-1,  
REPRESENTED BY ITS PROPRIETOR, LINS V BABU, AGED 43 YEARS,  
S/O. V.C.BABU, RESIDING AT KURUPPAM ROAD, THRISSUR -1.  
BY ADVS.SANTHOSH MATHEW, ARUN THOMAS, JENNIS STEPHEN,  
VIJAY V. PAUL, KARTHIKA MARIA, ANIL SEBASTIAN PULICKEL,  
JAISY ELZA JOE, SANITA SABU VARGHESE**

**RESPONDENTS/RESPONDENTS NOS 2,3,5 AND 6**

- 1. SHRI.S. AANANTHAKRISHNAN IPS, EXCISE COMMISSIONER,  
EXCISE COMMISSIONERATE, VIKAS BHAVAN P.O., NANDAVANAM,  
THIRUVANANTHAPURAM-695 033.**
- 2. SHRI.K. SHAJI(SUBSTITUTED)\*, DEPUTY COMMISSIONER OF EXCISE,  
OFFICE OF THE DEPUTY EXCISE COMMISSIONER, STATE EXCISE ACADEMY AND  
RESEARCH CENTRE, ARANATTUKARA, VANCHIKULAM, POOTHOLE, THRISSUR-680 004.  
\*MR.PREMKRISHNA K, AGED 53, DEPUTY COMMISSIONER OF EXCISE,  
OFFICE OF THE DEPUTY EXCISE COMMISSIONER, STATE EXCISE ACADEMY AND  
RESEARCH CENTRE, ARANATTUKARA, VANCHIKULAM, POOTHOLE, THRISSUR-680 004.**
- 3. SHRI.SPARGANKUMAR IPS(SUBSTITUTED)\*, MANAGING DIRECTOR,  
KERALA STATE BEVERAGES (M&M) CORPORATION LTD.,  
DISTRICT WAREHOUSE, THIRUVANANTHAPURAM-695 033.  
\*SHRI.YOGESH GUPTA IPS, CHAIRMAN AND MANAGING DIRECTOR,  
KERALA STATE BEVERAGES (M&M) CORPORATION LTD.,  
VIKAS BHAVAN, THIRUVANANTHAPURAM-695 033.**

**P.T.O.**

4. SHRI.ANSHAD S.(SUBSTITUTED)\*, SUB INSPECTOR OF POLICE,  
THRISSUR TOWN POLICE STATION, THRISSUR, PIN-680020.

\*MR.PRAMOD B, AGED 34 YEARS, S/O BHASKARAN, SUB INSPECTOR OF POLICE,  
THRISSUR TOWN EAST POLICE STATION, THRISSUR, PIN-680 020.

RESPONDENTS 2,3 & 4 ARE SUBSTITUTED VIDE ORDER DATED 10/08/2021 IN  
IA 2/2021 IN COC 982/2021.

SRI.S.KANNAN, SENIOR GOVERNMENT PLEADER FOR R1, R2 & R4

SRI.NAVEEN.T,STANDING COUNSEL FOR R3

This Contempt of court case (civil) having come up for orders on  
16.09.2021, the court on the same day passed the following:

P.T.O.



**DEVAN RAMACHANDRAN, J.**

=====  
Contempt Case (C) No.982 of 2021  
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Dated this the 16<sup>th</sup> day of September, 2021

**ORDER**

I do not propose to pass orders today because the various reports on record indicate that the Commissioner of Excise is in the process of over viewing the functioning of the various shops in the State.

2. However, I record the submissions of Sri.S.Kannan - learned Senior Government Pleader, that instructions have been given by the Commissioner to the BEVCO to re-locate 32 shops, while 57 others have been asked to be upgraded and be given additional facilities. He then added that there are seven shops operated by the Consumer Federation and that one of them has already been shifted; while they have asked for retention of another. He added that with respect to the balance five, steps have been taken by them to shift them appropriately.

3. Sri.Renjith Thampan, learned senior counsel, instructed by Sri.T.Naveen, appearing for the BEVCO, also affirms the above. He then submitted that this Court must also direct the Government to increase the number of outlets so as to cater the large amount of demand.

4. Of course, I cannot accede to the afore request of Sri.Ranjith Thampan, since I am only concerned about the manner in which the existing shops are being operated and run; and it is not within the jurisdiction of this Court to direct the competent Authority either to reduce or increase the outlets. This is certainly a policy matter, into which this Court cannot intervene in any manner.

5. I, therefore, adjourn this matter to be called on 18.10.2021; within which time, the Commissioner of Excise will inform this Court the steps taken to ensure that the functioning of the shops are brought to the standards as directed by this Court in the judgment.

I, however, notify the Commissioner of Excise that the full responsibility to ensure the compliance of the directions in the judgment are on him, since he is the competent statutory Authority.

H/o.

**DEVAN RAMACHANDRAN,  
JUDGE**

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