



WEB COPY

WP(MD). No.22416 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 06/08/2026

CORAM

**THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN
AND
THE HONOURABLE MR. JUSTICE R. SAKTHIVEL**

WP(MD). No.22416 of 2026
and
WMP(MD)No.16709 of 2026

P.Prabakaran

... Petitioner

Vs

1. The Commissioner of Prohibition and Excise, Chepauk,
Chennai- 600 005.

2. The District Collector,
The Collectorate, Madurai District.

3. The Assistant Commissioner (Excise),
Office of the Assistant Commissioner (Excise),
Madurai District.

4. The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai-600 028.

5. Honey Bee Recreation Club
Rep. by its Secretary,
P. Muthu Vairavan

... Respondents



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PRAYER :-

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Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari, to call for the records of the impugned proceedings of the 1st respondent in R.Dis.No.P & E. 2(1)/5412/2022 dated 05.11.2025 and quash the same as illegal.

For Petitioner : Mr.Gokul Abimanu
for M/s.S.Bharathi

For Respondents : Mr.M.P.Senthil
Government Pleader for R1 to R4

Mr.T.Lajapathy Roy
Senior Counsel
for M/s.Roy & Roy Associates for R5

ORDER

(Order of the Court was made by C.V.Karthikeyan, J.)

The writ petition has been filed seeking the records relating to the impugned proceedings of the first respondent in R.Dis.No.P & E.2(1)/5412/2022, dated 05.11.2025 and to quash the same.

2.Earlier, the same writ petitioner had filed W.P(MD)No.4135 of 2026, seeking the following relief:



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“ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari to call for the records of the impugned proceedings of the first respondent in R.Dis.No.P & E.2(1)/5412/2022 dated 05.11.2025 and quash the same as illegal.”

3.Both the writ petitions relate to the very same order dated 05.11.2025 in R.Dis.No.P&E.2(1)/5412/2022. The Division Bench had disposed of the writ petition by issuing directions by order dated 13.02.2026. If the petitioner is aggrieved by the said order, he will have to take recourse in the manner known to law. However, filing of a second writ petition seeking the same relief and inviting the Court to once again adjudicate the issue is not permissible. It is re-litigation of the same issue. In ***T.Arivandandam -vs- T.V.Satyapal and another*** reported in ***AIR 1977 SC 2421 : 1977 (4) SCC 467***, it had been very clearly stated that re-litigation cannot be encouraged by the Court and should be nipped in the bud.

4.The learned Senior Counsel for the fifth respondent stated that, subsequent to the order of the Division Bench of this Court, the



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Commissioner of Prohibition and Excise, who is the first respondent, had conducted an enquiry and had also passed an order on 11.03.2026 in proceedings P&E.2(1)/5412/2021.

5.In view of the above, we are of the opinion that the present writ petition challenging the very same order that was already considered in the earlier writ petition, amounts to re-litigation of the same issue and cannot be permitted. If the petitioner is aggrieved by the order passed by the Division Bench, he is at liberty to work out his remedy in accordance with law. Accordingly, the present writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(C.V.K., J.) & (R.S.V., J.)
06.08.2026

sjj

NCC : Yes

TO

1.The Commissioner of Prohibition and Excise, Chepauk,
Chennai- 600 005.

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The Collectorate, Madurai District.

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**C.V.KARTHIKEYAN, J.
and
R. SAKTHIVEL, J.**

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ORDER
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