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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

AND

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.2378 of 2011

and

MP (MD) No.1 & 2 of 2011

K.Sivakumar

... Petitioner

Vs.

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

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The Superintendent of Police,
Virudhunagar.

4.The Assistant Commissioner (Excise),
Virudhunagar District, Virudhunagar.

5.The Divisional Manager,
Tamilnadu State Marketing Corporation,
Virudhunagar District.

6.Surya Recreation Club
Previously called as Sankarapandiapuram
Grama Membattu Sangam,
2/550A, Alagammal Nagar,
Sithurajapuram village,
Sivakasi Traluk,
Virudhunagar District.

7.Prof.V.K.Shanmugam I.A.S.,
District Collector,
Virudhunagar District,
Virudhunagar.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus or any other order or direction in the nature of writ calling for the records pertaining to the impugned order of the 1st Respondent issued in R.Dis.P & E 2(1)/20965/09 dated 10.08.2010 and quash the same and consequently forbearing the Respondents 1 to 5 from in anyway issuing FL2 license under the Tamil Nadu Liquor (License and Permit) Rules 1981 in favour of the 6th Respondent.



For Petitioner : Mr.Veera Kathiravan
For RR - 1 to 4 : Mr.B.Pugalendhi, Special Government Pleader
For R - 5 : Mr.M.Muniyasamy
For R - 6 : Mr.Santharam Natarajan
For R - 7 : No appearance

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ORDER

(Order of the Court was made by R.SUDHAKAR,J.)

This writ petition has been filed praying to quash the proceedings of the first respondent issued in R.Dis.P & E 2(1)/20965/09 dated 10.08.2010 and quash the same and consequently forbear the respondents 1 to 5 from in anyway issuing FL2 licence under the Tamil Nadu Liquor (License and Permit) Rules 1981 in favour of the sixth respondent.

2.We find no public interest in quashing the licence granted to a recreation club. It is for the individual to understand the evil effect of drinking and change themselves. At the best, the petitioner can go and campaign and convert them to a teetotaler. We only request the petitioner to do so.

3. We find no reason to entertain the writ petition in public interest, as no cause of action arises for consideration in the present writ petition. Hence, this writ petition is dismissed. No costs. Connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Crl.side)

/True copy/

Sub Assistant Registrar

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To

- 1.The Commissioner of Prohibition and Excise Department,
Chepauk, Chennai - 600 005.
- 2.The District Collector, Virudhunagar District, Virudhunagar.
- 3.The Superintendent of Police, Virudhunagar.
- 4.The Assistant Commissioner (Excise),
Virudhunagar District, Virudhunagar.
- 5.The Divisional Manager,
Tamilnadu State Marketing Corporation,
Virudhunagar District.

+one cc to Mr.K.Gokul, Advocate in SR.NO.54843

+one cc to The Special Government Pleader, SR.No. 54730

W.P. (MD) No.2378 of 2011
14.09.2015