



CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

THENI THAI MANAMAHIL MANDRAM,
 REP. BY ITS SECRETARY V.RAMESH, NO.2B-B1,
 THENI ODIAI DISTRICT MAIN ROAD, KAMATCHIPURAM,
 UTHAMAPALAYM TALUK, THENI DISTRICT.

... Petitioner in WP(MD). 6191/ 2017



7 STAR RECREATION CLUP, REP BY ITS SECREATARY,
M.JANARTHANAN,
S/O MUTHAIAH, NO.1/203/1 VIRUDHUNAGAR MAIN ROAD,
VARCHAKARAPATTI, R.R.NAGAR-626 204,
VIRUDHUNAGAR.

... Petitioner in WP(MD)No . 6192/ 2017

STAR CLUB, REP. BY ITS SECRETARY M.ANANDAN,
S/O. SHANMUGASAMY, NO.2/1590, GOPAL NAGAR,
VEMBAKOTTAI ROAD, SITHURAJAPURAM,
VIRUDHUNAGAR DISTRICT.

... Petitioner in WP(MD)No . 6193/ 2017

STAR CLUB, REP. BY ITS SECRETARY K.MANIVANNAN,
S/O.KOODALINGAM, NO.84, POLICE STATION ROAD,
SIVAKASI- 626123, VIRUDHUNAGAR DISTRICT.

... Petitioner in WP(MD)No.. 6194/ 2017

CHAKRA CLUB, REP. BY ITS SECRETARY A.ULAGANATHAN,
S/O.ARUMUGAM, NO.3/1016/5, PARAIPATTI,
VISWANATHAM PANCHAYAT, SIVAKASI TK, VIRUDHUNAGAR DIST.

... Petitioner in WP(MD)No. 6195/ 2017

KATHIRAVAN RECREATION CLUB REP BY ITS PRESIDENT,
A.SANKAR, S/O AATHIKESAVAN, KUMULI MAIN ROAD, LOWER CAMP,
KODALULUR, THENI.

... Petitioner in WP(MD)No . 6196/ 2017

RANJITH RECREATION CLUB, REP
BY ITS SECRETARY SELVARAJ, S/O.RAMACHANDRAN,
NO.2/788/18, LAKSHMI NAGAR, RESERVE LINE,
SRIVILLIPUTHUR MAIN ROAD, SIVAKASI WEST,
VIRUDHUNAGAR DISTRICT.

... Petitioner in WP(MD)No . 6197/ 2017

LOTUS RECREATION CLUB, REP. BY ITS SECRETARY
M.R.CHANDRASEKAR, S/O.MUTHURAMALINGAM, NO.108,
CHAIRMAN A.SHANMUGAM RD, SIVAKASI- 626123,
VIRUDHUNAGAR DISTRICT.

... Petitioner in WP(MD)No . 6198/ 2017

5 STAR RECREATION CLUB REP. BY ITS SECRETARY,
A.SENTHAMARAI PANDIAN, NO.2/110/5, MAIN ROAD,
ERICHANATHAM, SIVAKASI - 626 103, VIRUDHUNAGAR DISTRICT.

... Petitioner in WP(MD)No . 6199/ 2017

SRI PANDIAN HOTELS REP. BY ITS SECRETARY B.S.TERRY,
S/O. SANKAR, NO.1257 TO 1259, PERIYAKULAM ROAD THENI,
THENI DISTRICT.

... Petitioner in WP(MD)No . 6200/ 2017



HOTEL SASITHARAN, REP BY ITS PROPRIETOR S.MARIMUTHU,
S/O.SUBBAIAH, NO.18A, THROWPATHIAMMAN STREET,
RAJAPALAYAM BYE PASS ROAD, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

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... Petitioner in WP(MD)No . 6201/ 2017

HOTEL ANBU, REP. BY ITS PROPRIETOR G.ANBUSELVAM,
S/O.GANESAN, NO. 487-A, VIRUDHUNAGAR MAIN ROAD,
THIRUTHANGAL- 626130, VIRUDHUNAGAR DISTRICT

... Petitioner in WP(MD)No . 6202/ 2017

MADHUSHINI BOARDING AND LODGING,
REP. BY ITS PROPRIETOR N.RAMASAMY,
S/O.NEEMA REDDIAR, NO.132, MADURAI ROAD,
VIRUDHUNAGAR - 626 001

... Petitioner in WP(MD)No . 6203/ 2017

HOTEL SRI VIJAY NIVAS, REP. BY ITS PARTNER
S.PANNEERSELVAM, S/O.SANJEEVI NAIDU,
NO.1074, ARANMANAI PETTAI, THENI TOWN,
THENI DISTRICT.

... Petitioner in WP(MD)No . 6204/ 2017

HOTEL AJAY RESIDENCY, REP. BY ITS PROPRIETOR
V.MANOCHARAN, S/O.VANAMOORTHY,
NO.55, RAJAJI ROAD, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

... Petitioner in WP(MD)No . 6205/ 2017

HOTEL SARAVANA, REP. BY ITS PROPRIETOR G. MANIKANNAN,
S/O.GANESAN, NO.1/5/54, MADURAI MAIN ROAD,
KRISHNAN KOVIL- 626190, SRIVILLIPUTHUR TALUK,
VIRUDHUNAGAR DISTRICT.

... Petitioner in WP(MD)No . 6206/ 2017

CHITRA BOARDING AND LODGING REP. BY ITS PROPRIETOR
S.RAMAKRISHNAN, S/O.SHANKAR RAJA,
NO.394/1, OLD TRUNK ROAD, SATTUR - 626 203,
VIRUDHUNAGAR DISTRICT.

... Petitioner in WP(MD)No . 6207/ 2017

SMY LODGE, REP. BY ITS PROPRIETOR M.ATHAM,
S/O.MOHAMMED YASIN, NO.9/8, BAGAVATH SINGH ROAD,
PARAMAKUDI, RAMANATHAPURAM DISTRICT.

... Petitioner in WP(MD)No . 6208/ 2017

ROYAL PARK HOTEL, REP. BY ITS PROPRIETOR B.SAHUL HAMEED,
S/O.SAHUL HAMEED, NO. 256/ W2, DINDIGUL ROAD,
PALANI, PALANI TALUK, DINDIGUL DISTRICT.

... Petitioner in WP(MD)No . 6334/ 2017



HOTEL A.K.M.G. BOARDING AND LODGING,
REP. BY ITS PROPRIETOR G.KARTHIKEYAN,
S/O.GOVINDASAMY, PALANI MAIN ROAD, ODDANCHATHIRAM,
DINDIGUL DISTRICT.

... Petitioner in WP(MD)No . 6335/ 2017

S.K.N. BOARDING AND LODGING (P) LTD.,
REP. BY ITS MANAGING DIRECTOR SARAVANAN,
S/O.GOVINDAN, NO.45, DINDIGUL MAIN ROAD,
PALANI, DINDIGUL DISTRICT.

... Petitioner in WP(MD)No . 6336/ 2017

PALANI SRI RAJALAKSHMI HOTELS (P) LTD.,
REP. BY ITS MANAGING DIRECTOR
R.SURIYANARAYANAN, S/O. RAJASEKAR, NO.16,
DINDIGUL ROAD, PALANI, DINDIGUL DISTRICT.

... Petitioner in WP(MD)No . 6337/ 2017

STAR RECREATION AND SOCIAL WELFARE CLUB,
REP. BY ITS SECRETARY N.SELVAM, S/O. NARAYANAN,
S.F.NO. 527/3 & 528/1C, PUSHPATHUR VILLAGE,
PALANI TALUK, DINDIGUL DISTRICT.

... Petitioner in WP(MD)No . 6338/ 2017

HOTEL SRI RAJESWARI TOWERS,
REP. BY ITS PARTNER A.RAMAKRISHNAN,
S/O.ANDI GOUNDER, NO.221-230, MAIN ROAD,
BATLAGUNDU- 624202, DINDIGUL DISTRICT.

... Petitioner in WP(MD)No . 6524/ 2017

ABIRAMI RESIDENCY, REP BY ITS GENERAL MANAGER
MOHAMMED ISMAIL, S/O SAHUL HAMEED,
RAIS TOWERS, NO.148, DINDIGUL ROAD,
LAKSHMIPURAM, PALANI, DINDIGUL DISTRICT

... Petitioner in WP(MD)No . 6525/ 2017

1 HOTEL GOMATH TOWERS, REP BY ITS PROPERIETOR R.S.S.KANMANIRAJA,
S/O. S.SELVAM, NO.73, PENSIONERS STREET, DINDIGUL,
DINDIGUL DISTRICT.

... Petitioner in WP(MD)No . 6526/ 2017

DOLPHIN HOTELS, REP. BY ITS PROPRIETOR R.JANAKI,
W/O.P.RAMALINGAM, NO.1B/2, AUTHUMEDU,
VEDASANDUR- 624 710, DINDIGUL DISTRICT.

... Petitioner in WP(MD)No . 6527/ 2017

HOTEL R.S.R APPLE TREE,
419/A, SATTUR SIVAKASI KALUMALAI ROAD,
SIVAKASI-626189, VIRUDHUNAGAR DISTRICT,
REP BY ITS PROPRIETOR, R.SHANMUGAIAH,
S/O. LATE RAMASAMY REDDIYAR.

... Petitioner in WP(MD)No . 6844/ 2017



YOURS RECREATION CLUB, REP. BY ITS SECRETARY
P. THAVACHSELVAN, S/O.P.PAULSAMY, NO.176,
USILAI ROAD, THIRUMANGALAM, MADURAI DISTRICT.

... Petitioner in WP(MD)No . 6993/ 2017

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VIDIYAL RECREATION CLUB, REP. BY ITS SECRETARY
S.MUTHURAMALINGAM, S/O. SERVARAN, CP. NO.31,
TAMIL NADU HOUSING BOARD, AVANIYAPURAM,
ARUPPUKOTTAI MAIN ROAD, MADURAI DISTRICT.

... Petitioner in WP(MD)No . 6994/ 2017

MUTHUMARI MANAMAGIL MANDRAM
REP. BY ITS SECRETARY K.JEGAN,
S/O.KASIRAJAN, NO.11-1-81, F9, T.K.COMPLEX,
MADURAI ROAD, USILAMPATTI, MADURAI DT

... Petitioner in WP(MD)No . 6995/ 2017

KURINJI RECREATION CLUB, REP. BY ITS TREASURER
MAHENDRAPANDI, S/O.VEERABADRAN, D.NO.180/184-C,
P.P.CHAVADI, THENI MAIN ROAD, MADURAI - 625 016

... Petitioner in WP(MD)No . 6996/ 2017

GREEN PARK RECREATION CLUB REP. BY ITS TREASURER
MAHENDRAPANDI, S/O.VEERABADRAN, NO.12-D,
RAM NAGAR, PONMENI, MADURAI - 625 010.

... Petitioner in WP(MD)No . 6997/ 2017

IDEAL RECREATION CLUB,
REP. BY ITS TREASURER SASIKUMAR,
S/O.SELVAM, DOOR NO.3,
JEYAM COMPLEX, BYPASS ROAD, PALANGANATHAM, MADURAI

... Petitioner in WP(MD)No . 6998/ 2017

TVL.WELCOME RECREATION CLUB,
REP. BY ITS SECRETARY M.MAHENDRAN,
S/O. MANI ALAGARAJA, NO.13D, PUGALENTHI ROAD,
RAJAPALAYAM, VIRUDHUNGAR DISTRICT.

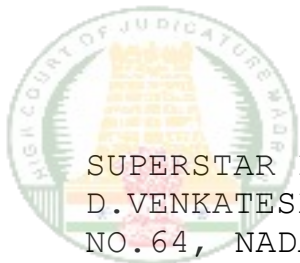
... Petitioner in WP(MD)No . 8035/ 2017

SURYA RECREATION CLUB, REP. BY ITS SECRETARY
K.GOPALSAMY, S/O.KADASAMY NAICKER, D.NO.2/550-I,
ALAGAMMAL NAGAR, SITHURAJAPURAM, SIVAKASI TALUK,
VIRUDHUNGAR DISTRICT.

... Petitioner in WP(MD)No . 8036/ 2017

TITANIC RECREATION CLUB
REP. BY ITS SECRETARY C.GOPAL,
S/O.C.MURUGANANDAN, 3/1320, PARAIPATTI,
SATTUR ROAD, SIVAKASI, VIRUDHUNGAR DIST

... Petitioner in WP(MD)No . 8037/ 2017



SUPERSTAR RECREATION CLUB, REP. BY ITS SECRETARY
D.VENKATESH, S/O. DURAIRAJ,
NO.64, NADARAJ THEATRE ROAD, SATTUR TOWN AND TALUK,
VIRUDHUNAGAR DISTRICT.

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... Petitioner in WP(MD)No . 8038/ 2017

ROYAL RECREATION CLUB REP.BY ITS SECRETARY A.THEIVAM,
S/O.AYYASAMY THEVAR, 3/1017, VIRUDHUNAGAR SIVAKASI MAIN ROAD,
ANAIKUTTAM, VIRUDHUNAGAR DISTRICT.

... Petitioner in WP(MD)No . 8427/ 2017

SRI PANDIAN HOTELS, REP. BY ITS PROPRIETOR B.S.TERRY,
S/O.BASKAR, DOOR NO.1259, PERIYAKULAM ROAD,
THENI, THENI DISTRICT.

... Petitioner in WP(MD)No .11297/ 2017

Vs.

THE COMMISSIONER OF PROHIBITION AND EXCISE,
PROHIBITION AND EXCISE DEPARTMENT, EZHILAGAM,
CHEPAUK, CHENNAI - 600 005

2 THE DISTRICT COLLECTOR, THENI DISTRICT, THENI.

3 THE ASSISTANT COMMISSIONER (EXCISE),
PROHIBITION AND EXCISE DEPARTMENT, THENI, THENI DISTRICT.

... Respondent(s) in WP(MD). 11297/ 2017

Prayer in WP(MD). 11297/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus directing the respondents to consider the representation of the petitioner dated 08.06.2017 and permit the petitioner to run the bar attached with the hotel, within the time frame fixed by this Honble Court.

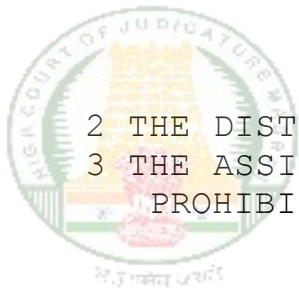
WP(MD). 11298/ 2017 :

TATA MANAMAHIL MANDRAM, REP. BY ITS SECRETARY P.PANDI SAKTHI,
S/O.PANDI SEKAR, NO. 42/1, RAILWAY STATION ROAD, BODINAICKANUR,
THENI DISTRICT.

... Petitioner(s) in WP(MD). 11298/ 2017

- Vs. -

1 THE COMMISSIONER OF PROHIBITION AND EXCISE,
PROHIBITION AND EXCISE DEPARTMENT, EZHILAGAM, CHEPAUK,
CHENNAI-05



2 THE DISTRICT COLLECTOR, THENI DISTRICT., THENI.
3 THE ASSISTANT COMMISSIONER (EXCISE),
PROHIBITION AND EXCISE DEPARTMENT, THENI, THENI DISTRICT.
... Respondent(s) in WP(MD). 11298/ 2017

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Prayer in WP(MD). 11298/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 08.06.2017 and 13.06.2017 and permit the petitioner to run the bar attached with the club.

WP(MD) . 11374/ 2017 :

1 MARIMUTHU, S/O.SUBBAIAH NO.18-A, DHROWPATHIAMMAN KOVIL STREET,
RAJAPALAYAM BYE PASS ROAD, SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.
... Petitioner(s) in WP(MD). 11374/ 2017

- Vs. -

1 THE DISTRICT COLLECTOR VIRUDHUNAGAR DISTRICT, VIRUDHUNAGAR.
2 THE MANAGER, TASMAL, VIRUDHUNAGAR DISTRICT.
3 THE DIVISIONAL OFFICER, PROHIBITION AND EXCISE,
SATCHIYAPURAM, SIVAKASI, VIRUDHUNAGAR DISTRICT.
... Respondent(s) in WP(MD). 11374/ 2017

Prayer in WP(MD). 11374/ 2017 :

Writ Petition is 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 order passed by the 3rd respondent in Na.Ka.No.E.1/131/2016 dated 13.06.2017 and quash the same as illegal and pass such further or other orders as this Honble Court.

WP(MD) . 11737/ 2017 :

HOTEL R.S.R.APPLE TREE,
419/A, SATTUR SIVAKASI KALUMALAI ROAD,
SIVAKASI - 626 189, VIRUDHUNAGAR DISTRICT,
REP. BY ITS PROPRIETOR, R.SHANMUGAIAH
... Petitioner(s) in WP(MD). 11737/ 2017

- Vs. -

1 THE COMMISSIONER OF PROHIBITION AND EXCISE,
PROHIBITION AND EXCISE DEPARTMENT, EZHILAGAM,
CHEPAUK, CHENNAI - 600 005

2 THE ASSISTANT COMMISSIONER (EXCISE),
PROHIBITION AND EXCISE DEPARTMENT, VIRUDHUNAGAR,
VIRUDHUNAGAR DISTRICT.



3 THE MANAGING DIRECTOR,
TAMIL NADU STATE MARKETING CORPORATION LTD., (TASMAC),
CMDA TOWER-II, IV FLOOR, GANDHI IRWIN BRIDGE ROAD,
EGMORE, CHENNAI - 600 008

4 THE DIVISIONAL EXCISE OFFICER SIVAKASI, VIRUDHUNAGAR DISTRICT.

5 THE ADDL. SUPERINTENDENT OF POLICE, (LIQUOR PROHIBITION WING),
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.

... Respondent(s) in WP(MD). 11737/ 2017

Prayer in WP(MD). 11737/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorari calling for the records pertaining to the impugned proceedings issued by the 2nd respondent in Roc.Ex2/11244/16 dated 10.05.2017 as well as the impugned circular issued by the 4th respondent dated 13.06.2017 and quash the same.

WP(MD) . 11778/ 2017 :

DOLPHIN RECREATION CLUB, REP. BY ITS SECRETARY, K.SEENIVASAN,
1/176-C, MARANRI VILLAGE, MARANERI VILLAGE PANCHAYAT, SIVAKASI
TALUK, VIRUDHUNAGAR DISTRICT.

... Petitioner(s) in WP(MD). 11778/ 2017

- Vs. -

1 THE DISTRICT COLLECTOR, DISTRICT COLLECTOR OFFICE,
VIRUDHUNAGAR DISTRICT.

2 THE DISTRICT MANAGER, TASMAC, VIRUDHUNAGAR DISTRICT.

... Respondent(s) in WP(MD). 11778/ 2017

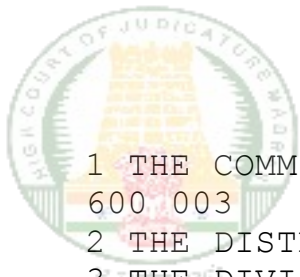
Prayer in WP(MD). 11778/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned order passed by the 1st respondent in Na.Ka.No. 11244/2016 dated 20.04.2017 and quash the same as illegal and further more direct the respondents to permit the petitioner to run the bar with FL-2-6/2010-11 license.

WP(MD) . 13809/ 2017 :

B.SASIDHARAN NAIR S/O.K.BALAKRISHNAN NAIR, PRESIDENT,
KANYAKUMARI DIST COMMITTEE, TAMILNADU EX-SERVICES LEAGUE, MELPURAM
35 METRE ROAD, PASEOIDE POST 629 168, KANYAKUMARI DT

... Petitioner(s) in WP(MD). 13809/ 2017



- Vs. -

1 THE COMMISSIONER PROHIBITION AND EXCISE, PARK TOWN, CHENNAI
600 003
2 THE DISTRICT COLLECTOR KANYAKUMARI DISTRICT, NAGERCOIL
3 THE DIVISIONAL EXCISE OFFICER NAGERCOIL, KANYAKUMARI DIST
4 THE DIVISIONAL EXCISE OFFICER PADMANABAPURAM, KANYAKUMARI DIST
... Respondent(s) in WP(MD). 13809/ 2017

Prayer in WP(MD). 13809/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records relating to the impugned order of the 2nd respondent in his proceedings in Pro.No.R5/49495/16 dated 14.06.2017 and quash the same.

WP (MD) .6187/ 2017 :

CASINO SPORTS CLUB, REP. BY ITS SECRETARY V.ALEX ANILKUMAR,
S/O.M.VARUVEL, VADASERY, NAGERCOIL, KANYAKUMARI DISTRICT.
... Petitioner(s) in WP(MD). 6187/ 2017

- Vs. -

1 THE GOVERNMENT OF TAMILNADU REP. BY ITS PRINCIPAL SECRETARY,
HOME, PROHIBITION AND EXCISE DEPARTMENT, FORT ST. GEORGE,
SECRETARIAT, CHENNAI - 600 009
2 THE COMMISSIONER OF PROHIBITION AND EXCISE, PROHIBITION AND
EXCISE DEPARTMENT, EZHILAGAM, CHEPAUK, CHENNAI - 600 005
3 THE DISTRICT COLLECTOR KANYAKUMARI DISTRICT AT NAGERCOIL.
4 THE ASSISTANT COMMISSIONER (EXCISE), PROHIBITION AND EXCISE
DEPARTMENT, NAGERCOIL, KANYAKUMARI DISTRICT.
5 THE MANAGING DIRECTOR, TAMILNADU STATE MARKETING CORPORATION
LTD., (TASMAL), CMDA TOWER-II, IV FLOOR, GANDHI IRWIN BRIDGE ROAD,
EGMORE, CHENNAI - 600 008
6 THE ADDITIONAL DIRECTOR GENERAL OF POLICE (ENFORCEMENT)
DR.RADHAKRISHNAN SALAI, MYLAPORE, CHENNAI - 600 004
7 THE SUPERINTENDENT OF POLICE NAGERCOIL, KANYAKUMARI DISTRICT.
... Respondent(s) in WP(MD). 6187/ 2017

WP (MD) .6190/ 2017 :

KURINJI MANAMAHIZH MANDRAM, REP. BY ITS SECRETARY M.SUBRAMANIAN,
S/O. S.S.MURUGAIAH, NO.1/980, KOLLAM MAIN ROAD, PIRANOOR,
SHENGOTTAI, TIRUENELVELI DT.
... Petitioner(s) in WP(MD). 6190/ 2017

- Vs. -

1 THE GOVERNMENT OF TAMILNADU REP. BY ITS PRINCIPAL SECRETARY,
HOME, PROHIBITION AND EXCISE DEPARTMENT, FORT ST.GEORGE,
SECRETARIAT, CHENNAI-09

2 THE COMMISSIONER OF PROHIBITION AND EXCISE, PROHIBITION AND EXCISE DEPT., EZHILAGAM, CHEPAUK, CHENNAI-05.

3 THE DISTRICT COLLECTOR TIRUNELVELI DISTRICT, TIRUNELVELI.

4 THE ASSISTANT COMMISSIONER (EXCISE), PROHIBITION AND EXCISE DEPARTMENT, TIRUNELVELI, TIRUNELVELI DISTRICT.

5 THE MANAGING DIRECTOR, TAMILNADU STATE MARKETING CORP. LTD., (TASMAC), CMDA TOWER-II, IV FLOOR, GANDHI IRWIN BRIDGE ROAD, EGMORE, CHENNAI-08.

6 THE ADDITIONAL DIRECTOR GENERAL OF POLICE, (ENFORCEMENT), DR.RADHAKRISHNAN SALAI, MYLAPORE, CHENNAI-04.

7 THE SUPERINTENDENT OF POLICE, TIRUNELVELI, TIRUNELVELI DISTRICT.

... Respondent(s) in WP(MD). 6190/ 2017

THE GOVERNMENT OF TAMILNADU REP. BY ITS PRINCIPAL SECRETARY, HOME, PROHIBITION AND EXCISE DEPARTMENT, FORT ST.GEORGE, SECRETARIAT, CHENNAI-09.

2 THE COMMISSIONER OF PROHIBITION AND EXCISE DEPT., EZHILAGAM, CHEPAUK, CHENNAI-05.

3 THE DISTRICT COLLECTOR DINDIGUL DISTRICT, DINDIGUL.

4 THE ASSISTANT COMMISSIONER (EXCISE), PROHIBITION AND EXCISE DEPARTMENT, DINDIGUL, DINDIGUL DISTRICT.

5 THE MANAGING DIRECTOR, (TASMAC), CMDA TOWER-11, IV FLOOR, GANDHI IRWIN BRIDGE ROAD, EGMORE, CHENNAI-08.

6 THE ADDITIONAL DIRECTOR GENERAL OF POLICE, (ENFORCEMENT), DR.RADHAKRISHNAN SALAI, MYLAPORE, CHENNAI-04.

7 THE SUPERINTENDENT OF POLICE, DINDIGUL, DINDIGUL DISTRICT.

... Respondent(s) in WP(MD)Nos. 6334 to 6338 / 2017 and 6524 to 6527/2017

Prayer in WP(MD). 6993 to 6998/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue writ, Order or direction particularly in the nature of Writ of Certiorari calling for the records pertaining to the impugned proceedings issued by the 2nd respondent in letter No.P&E 2(4)/12740/2016, dated 31.03.2017 quash the same.

THE GOVT. OF TAMIL NADU REP. BY ITS PRINCIPAL SECRETARY, HOME, PROHIBITION AND EXCISE DEPARTMENT, FORT ST. GEORGE, SECRETARIAT, CHENNAI - 600 009

2 THE COMMISSIONER OF PROHIBITION AND EXCISE, PROHIBITION AND EXCISE DEPARTMENT, EZHILAGAM, CHEPAUK, CHENNAI - 600 005

3 THE DISTRICT COLLECTOR MADURAI DISTRICT, MADURAI.

4 THE ASSISTANT COMMISSIONER (EXCISE), PROHIBITION AND EXCISE DEPARTMENT, MADURAI, MADURAI DISTRICT.

5 THE MANAGING DIRECTOR TAMILNADU STATE MARKETING CORPORATION LTD., (TASMAC), CMDA TOWER-II, IV FLOOR, GANDHI IRWIN BRIDGE ROAD, EGMORE, CHENNAI - 600 008

6 THE ADDITIONAL DIRECTOR GENERAL OF POLICE, (ENFORCEMENT), DR.RADHAKRISHNAN SALAI, MYLAPORE, CHENNAI - 600 004



7 THE SUPERINTENDENT OF POLICE MADURAI DISTRICT, MADURAI.
... Respondent in WP(MD). 6994, 6995, 6996, 6997 & 6998/ 2017

THE GOVERNMENT OF TAMIL NADU PRINCIPAL SECRETARY HOME,
PROHIBITION EXCISE DEPARTMENT, FORT ST.GEORGE, SECRETARIAT,
CHENNAI-600 009.

2 THE COMMISSIONER OF PROHIBITION EXCISE DEPARTMENT, EZHILAGAM,
CHEPAUCK, CHENNAI-600 005.

3 THE DISTRICT COLLECTOR VIRUDHUNAGAR, VIRUDHUNAAR DISTRICT

4 THE ASSISTANT COMMISSIONER PROHIBITION EXCISE DEPARTMENT,
VIRUDHUNAGAR.

5 THE MANAGING DIRECTOR TASMAL, CMDA TOWER II IV FLOOR, GANDHI
IRWIN BRIDGE ROAD, EGMORE, CHENNAI-600 008.

6 THE ADDL DIRECTOR RADHAKRISHNAN SALAI, MYLAPORE, CHENNAI 600
004.

7 THE SUPERINTENDENT OF POLICE VIRUDHUNAGAR, VIRUDHUNAAR
DISTRICT.

... Respondent(s) in WP(MD). 6192, 6193 to 6195, 6197 to 6199 /
2017 6201 to 6203, 6205, 6206, 6207/2017 8035 to 8038/2017 8295 &
8296/2017 & 6844/2017, 6192, 8427/2017

Prayer in WP(MD)Nos.. 6844/ 2017 , 8035 to 8038/2017, 8295 to
8296/2017:

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court To issue a writ of
Certiorari, calling for the records pertaining to the impugned
proceedings issued by the 3rd respondent in Na.Ka.Ka2/11244/2016,
dated 01.04.2017(WP(MD)No.11244/2016, dated 20.04.2017(WP(MD)
No.8035 to 8038/2017), 8295 & 8296/2017, 8427 dated 31.03.2017(WP
(MD)No.8297/2017) and quash the same

THE GOVERNMENT OF TAMILNADU REP. BY ITS PRINCIPAL SECRETARY,
HOME, PROHIBITION AND EXCISE DEPARTMENT, FORT ST.GEORGE,
SECRETARIAT, CHENNAI-09

2 THE COMMISSIONER OF PROHIBITION AND EXCISE, PROHIBITION AND
EXCISE DEPT., EZHILAGAM, CHEPAUK, CHENNAI-05.

3 THE DISTRICT COLLECTOR RAMANATHAPURAM DISTRICT,
RAMANATHAPURAM.

4 THE ASSISTANT COMMISSIONER (EXCISE), PROHIBITION AND EXCISE
DEPARTMENT, RAMANATHAPURAM , RAMANATHAPURAM DISTRICT.

5 THE MANAGING DIRECTOR, TAMILNADU STATE MARKETING CORP. LTD.,
(TASMAL), CMDA TOWER-II, IV FLOOR, GANDHI IRWIN BRIDGE ROAD,
EGMORE, CHENNAI-08.

6 THE ADDITIONAL DIRECTOR GENERAL OF POLICE, (ENFORCEMENT),
DR.RADHAKRISHNAN SALAI, MYLAPORE, CHENNAI-04.

7 THE SUPERINTENDENT OF POLICE, RAMANATHAPURAM , RAMANATHAPURAM
DISTRICT.

<https://hcservices.hcservices.in> Respondent(s) in WP(MD). 6208/ 2017



WEB COPY

For Petitioner

: Mr.T.Bashyam in
WP(MD)No. 6186 to 6208/2017 and
WP(MD)No.6334 to 6338/2017 and
WP(MD)No.6993 to 6998 /2017 and
WP(MD)No.11298/2017.

: Mr.S.Prasanth in WP(MD)No.6524/2017 to
6527 of 2017

: Mr.P.M.Vishnu Varthanan in
WP(MD)No.6887/2017 & 11737/2017

: Mr.K.Gokul in WP(MD)No.8035 to 8038/17
WP(MD)No.8295 to 8297/17
WP(MD)No.8427/17 and 11297/17

: Mr.A.Balaji in WP(MD)No.11374/17
: Mr.R.Rajaraman in WP(MD)No.11778/17

For Respondents

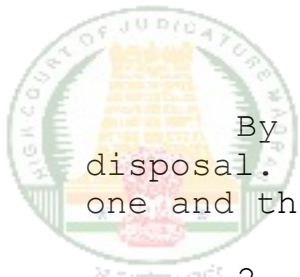
: Mr.B.Jameel Arasu, Standing Counsel
for R.5,14,17 in WP(MD)No.6186 to
6191/2017, 6196/2017, 6200,6204,6208/2017

Mr.B.Pugalendhi, Additional Advocate General
assisted by Mr.H.Arumugam,
For R5 in WP(MD)No.6201 to 6203/17 & 6205 to
6207/2017 and 6334,6335,6336 to 6338/2017,
8035 to 8038/2017, 8295 to 8297/2017,
8427/2017, 6192 to 6195/2017 and 6197 to
6199/2017 & 6844/2017, 6524 to 6527/2017
For R5 in WP(MD)No.6993 to 6998/2017
For R2 in WP(MD)No.11374/17 and 11778/2017
For R3 in WP(MD)No.11737/2017

Mr.J.Gunaseelan Muthiah,
Government Advocate for R.1 to R.4, R.6 & R.7
in WP(MD)No.6186 to 6199 and 6201 to 6208
6334 to 6338, 6524 to 6527, 6844,
6993 to 6998, 8035 to 8038/2017, 8295 to
8297/2017 & 8427/2017

For R1 to R3 in WP(MD)No.11297/2017, 11298/17
For R1 to R3 in WP(MD)No.11374/17
For R1 in WP(MD)No.11778/17
For R1 to R4 in WP(MD)No.13809/17

* * * * *



By consent, the writ petitions are taken up for final disposal. Since the issue involved in all these writ petitions, is one and the same, they are disposed of by this common order.

2. The Commissioner, Prohibition and Excise Department, Ezhilagam, Chepauk, Chennai - 600 005, vide Letter No.P&E 2(4)/12740/2016, dated 31.03.2017, issued the following instructions to all the District Collectors in the State of Tamil Nadu:

"Letter No.P&E 2(4)/12740/2016, dated : .03.2017

Sir,

Sub : Prohibition and Excise - Tamil Nadu
Liquor (L&P) Rules, 1981 - Based on the
Supreme Court Order - Instructions
issued - Reg.

Ref : 1. Supreme Court Order in Civil Appeal
Nos.12164 - 12166 of 2016,
dated 15.12.2016.
2. Supreme Court Order dated 31.03.2017
on the IA Petitions arising out of
Civil Appeal Nos.12164-12166 of 2016.

Your kind attention is solicited to the references above.

2) The Hon'ble Supreme Court in its order in the reference 1st cited has directed that "All states and union territories shall forthwith cease and desist from granting licences for sale of liquor along national and state highways".

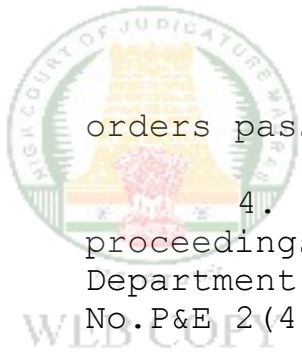
3) The Hon'ble Supreme Court in its order in the reference 2nd cited has directed that "the directions shall be read, as they stand".

4) In obedience to the above orders, the District Collectors are requested to close the bars in the licensed premises of FL2, FL3, FL3A and FL3AA which are located along the National Highways and State Highways from midnight today (31.03.2017) and ensure that they are not reopened from tomorrow onwards.

5) A detailed compliance report along with the list of licenses located on National Highways and State Highways which have been closed should be sent by 10 a.m., on 01.04.2017."

Pursuant to the above, the District Collectors of various Districts passed the respective impugned orders calling upon the petitioners herein to close down their liquor shops forthwith.

3. Aggrieved thereby, most of the petitioners herein have challenged the proceedings of the Commissioner, Prohibition and Excise Department, Ezhilagam, Chepauk, Chennai - 600 005, vide Letter No.P&E 2(4)/12740/2016, dated 31.03.2017 as well as the



orders passed by the respective District Collectors.

4. Some of the petitioners herein have put to challenge the proceedings of the Commissioner, Prohibition and Excise Department, Ezhilagam, Chepauk, Chennai - 600 005, vide Letter No.P&E 2(4)/12740/2016, dated 31.03.2017.

5. In two of the writ petitions, the petitioners sought for a writ of Mandamus to direct the respondents to consider their representations and permit them to run the bar attached with their Clubs.

6. The main thrust of the arguments put forth on the side of the petitioners is that the impugned orders have been passed by the authorities concerned without affording any opportunity of hearing to them and thus, they prayed that the impugned orders are liable to be quashed only on the ground of violation of principles of natural justice

7. Though this Court has heard the arguments put forth on either side for a considerable length of time, this Court, prima facie, is of the view that all these writ petitions are not at all maintainable, for the reason that these writ petitions have filed ultimately challenging the orders of the Honourable Supreme Court.

8. In The State of Tamil Nadu, rep. by its Secretary, Home, Prohibition & Excise Department and others v. K.Balu and another [Civil Appeal Nos.12164 - 12166 of 2016, arising out of S.L.P.(C) Nos.14911 - 14913 of 2013, decided on 15.12.2016], the Honourable Supreme Court, while dealing with the issue regarding the presence of liquor vends on National and State Highways across the country, issued the following directions:

"24. We accordingly hereby direct and order as follows:

(i) All states and union territories shall forthwith cease and desist from granting licences for the sale of liquor along national and state highways;

(ii) The prohibition contained in (i) above shall extend to and include stretches of such highways which fall within the limits of a municipal corporation, city, town or local authority;

(iii) The existing licences which have already been renewed prior to the date of this order shall continue until the term of the licence expires but no later than 1 April 2017;

(iv) All signages and advertisements of the sale of liquor shall be prohibited and existing ones removed forthwith both on national and state highways;



(v) No shop for the sale of liquor shall be (i) visible from a national or state highway; (ii) directly accessible from a national or state highway and (iii) situated within a distance of 500 metres of the outer edge of the national or state highway or of a service lane along the highway;

(vi) All States and Union territories are mandated to strictly enforce the above directions. The Chief Secretaries and Directors General of Police shall within one month chalk out a plan for enforcement in consultation with the state revenue and home departments. Responsibility shall be assigned inter alia to District Collectors and Superintendents of Police and other competent authorities. Compliance shall be strictly monitored by calling for fortnightly reports on action taken.

(vii) These directions issue under Article 142 of the Constitution."

9. Further, in The State of Tamil Nadu, rep. by its Secretary and others v. K.Balu and another [I.A.Nos.4-6, 7-9, 10-12, 13-15, 16-18, 19-21, 22-24, 25-27, 28-30, 31-33, 34-36, 37-39, 40-42 in Civil Appeal Nos.12164 - 12166 of 2016, decided on 31.03.2017], the Honourable Supreme Court passed the following order:

"22. After considering the submissions which have been urged before this Court, we are of the view that there are three areas where the rigors of the directions which have been issued by this Court may require to be suitably modulated without affecting the basic principle underlying the judgment. The first is in relation to limits of local bodies with a population of less than 20,000 people. In such areas, it has been urged before this Court that a state highway is the main thoroughfare area along which the township has developed in small clusters of 20,000 or less. Hence, the requirement of maintaining a distance of 500 metres from the outer edge of the highway or service lane may result in a situation where the entire local area may fall within the prohibited distance. We find some substance in the submission. We must emphatically clarify that even in such areas falling under local bodies with a population of less than 20,000, no licence for the sale of liquor should be issued along either a national or state highway or a service lane along the highway. Similarly, the sale of liquor should be from a point which is neither visible from a national or state highway or which is directly accessible from a national or state highway. However, in such a situation, the prohibited distance should in our view be restricted



to 220 metres from the outer edge of the national or state highway or of a service lane along the highway. We accordingly direct that the following paragraph shall be inserted, after direction (v) in paragraph 24 of the operative directions of this Court in the judgment dated 15 December 2016, namely:

"In the case of areas comprised in local bodies with a population of 20,000 people or less, the distance of 500 metres shall stand reduced to 220 metres."

23. The second area upon which we propose to issue a relaxation is in respect of direction (iii) contained in paragraph 24 of the judgment of this Court. This Court has directed that existing licences which have been renewed prior to the date of the order shall continue only until the term of the licence expires but not later than 1 April 2017. This was on the basis that the excise year ends on 31 March with the end of the financial year. This Court has been apprised during the course of hearing, that different states have different periods of operation for their excise years. Shri P.P.Rao, learned senior counsel, urged that the implementation of the directions should be carried out so as to inflict 'minimum pain' on the trade, which is not illegal. For instance, our attention has been drawn to the fact that the excise year in Telangana commences on 1 October and ends on 30 September of the following year. In the State of Andhra Pradesh, the excise year is stated to end on 30 June. Licencees to whom licences have been allotted prior to the date of the judgment would have made their investments. The cut-off date of 1 April 2017 was intended to protect such individuals. However, some modification is warranted due to the prevalence of varying excise years. In our view, the ends of justice would be met by issuing the following direction in continuation of direction (iii) in paragraph 24 of the judgment of this Court:

"In the case of those licences for the sale of liquor which have been renewed prior to 15 December 2016 and the excise year of the concerned state is to end on a date falling on or after 1 April 2017, the existing licence shall continue until the term of the licence expires but in any event not later than 30 September 2017".

In other words, no licence shall either be granted



or renewed or shall remain in operation in violation of the direction of this Court beyond 30 September 2017.

24. In the State of Tamil Nadu, liquor vends are operated by TASMAL which is a state owned entity. In the judgment of this Court, time until 1 April, 2017 was granted on the request of the State. Hence, we decline to grant any further extension to the State of Tamil Nadu.

25. *****

26. *****

27. Finally we clarify that we are not inclined to issue a direction in terms as sought by Shri Aryama Sundaram, learned senior counsel and other counsel that the judgment of this Court should be clarified so as to apply only to shops involving sale of liquor. Since the object of the direction is to prevent drunken driving, no such relaxation can be made which would defeat the object which is sought to be achieved. Consequently, the directions issued by this Court cannot be read down, as suggested. The directions shall be read, as they stand.

28. We accordingly dispose of this batch of Interlocutory applications in terms of the above. The Civil Appeal shall stand disposed of in terms of the judgment dated 15 December 2016 and the order passed today."

10. In the considered opinion of this Court, the orders impugned in the present writ petitions have been passed by the Commissioner, Prohibition and Excise Department, Ezhilagam, Chepauk, Chennai - 600 005 as well as by the respective District Collectors of various Districts, strictly in accordance with the directions issued by the Honourable Supreme Court and hence, the grounds raised in these writ petitions lack merit.

11. At this juncture, it is brought to the notice of this Court that the Honourable Supreme Court, in *Arrive Safe Society of Chandigarh v. The Union Territory of Chandigarh* and another [Special Leave Petition (Civil) No.10243 of 2017, decided on 11.07.2017], clarified the earlier order dated 15.12.2016 and the relevant portion is extracted hereunder:

"6. The judgment of this Court dated 15 December 2016 addresses dangers to life and safety caused by drunken driving on national and state highways and specifically deals with the problem from the perspective of the availability of roads within a metropolitan city essentially provide connectivity within the city. Chandigarh is an illustration. The roads

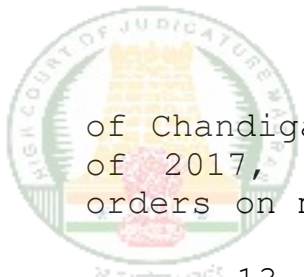


categorized as V1, V2 and V3 are essentially roads within the city. They were categorized as highways by an administrative decision of 21 October 2005 primarily with a view to ensure their maintenance and development by availing of funds available from the Central Road Fund. The alteration in the nomenclature of certain roads, which has been carried out by the subsequent notification dated 16 March 2017, has left unaffected National Highway no.21 which passes through the city and Madhya Marg which connects the States of Haryana and Punjab. The judgment of this Court dated 15 December 2016 prohibits the grant of licences for the sale of liquor along and in proximity of the National and State Highways including those falling within the limits of municipal corporations, cities, towns or local authorities. Directions (i) and (ii) extracted earlier did not prevent the Administration from re-classifying inter-sectoral roads within the city from state highways to major district roads. The exercise carried out by Chandigarh Administration does not breach the directions issued by this Court. It is neither in violation of the terms of the order nor of the purpose and intendment behind those directions.

7. The purpose of the directions contained in the order dated 15 December 2016 is to deal with the sale of liquor along and in proximity of highways properly understood, which provide connectivity between cities, towns and villages. The order does not prohibit licensed establishments within the municipal areas. This clarification shall govern other municipal areas as well. We have considered it appropriate to issue this clarification to set at rest any ambiguity and to obviate repeated recourse to IAs., before the Court.

8. For these reasons, we find no merit in the Special Leave Petition. The Special Leave Petition will accordingly stand dismissed. IA for intervention is disposed of."

12. In the light of the above, this Court, without going into the merits of the contentions raised by the petitioners in these writ petitions, deems it fit to direct the Commissioner, Prohibition and Excise Department, Ezhilagam, Chepauk, Chennai - 600 005 as well as the District Collectors concerned, as the case may be, to consider the claim of the petitioners herein strictly in terms of the clarification issued by the Honourable Supreme Court, in *Arrive Safe Society of Chandigarh v. The Union Territory*



of Chandigarh and another [Special Leave Petition (Civil) No.10243 of 2017, decided on 11.07.2017] and pass necessary/appropriate orders on merits and in accordance with law, forthwith.

13. Accordingly, all these writ petitions are disposed of as above. No costs. Consequently, all the connected writ miscellaneous petitions are closed.

Sd/-

Assistant Registrar(C.O.)

/True Copy/

Sub Assistant Registrar.

To

- 1.The Principal Secretary, Government of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St. George, Secretariat, Chennai - 600 009.
- 2.The Commissioner of Prohibition and Excise,
Prohibition and Excise Department,
Ezhilagam, Chepauk, Chennai - 600 005.
- 3.The District Collector, Theni District, Theni.
- 4 The District Collector,Ramanathapuram District, Ramanathapuram
- 5.The District Collector, Virudhunagar District, Virudhunagar
- 6.The District Collector, Dindigul District, Dindigul
- 7.The District Collector, Madurai District, Madurai
- 8.The District Collector, Tirunelveli District, Tirunelveli
- 9.The District Collector, Kanyakumari District, Kanyakumari.
- 10.The Assistant Commissioner (Excise),
Prohibition and Excise Department, Theni, Theni District.
11. The Assistant Commissioner (Excise),
Prohibition and Excise Department, Ramanathapuram
Ramanathapuram District.
12. The Assistant Commissioner (Excise),
Prohibition and Excise Department, Virudhunagar,
Virudhunagar District



- 13 The Assistant Commissioner (Excise),
Prohibition and Excise Department, Dindigul, Dindigul District.
- 14 The Assistant Commissioner (Excise),
Prohibition and Excise Department, Madurai, Madurai District.
- 15 The Assistant Commissioner (Excise),
Prohibition and Excise Department, Tirunelveli,
Tirunelveli District.
- 16 The Assistant Commissioner (Excise),
Prohibition and Excise Department, Kanyakumari,
Kanyakumari District.
17. The Managing Director,
Tamil Nadu State Marketing Corporation Limited, (TASMAC),
CMDA Tower - II, IV Floor, Gandhi Irwin Bridge Road,
Egmore, Chennai - 600 008.
18. The Additional Director General of Police, (Enforcement),
Dr. Radhakrishnan Salai, Mylapore, Chennai - 600 004.
19. The Superintendent of Police, Theni,
Theni District.
20. The Superintendent of Police,
Ramanathapuram, Ramanathapuram District.
21. The Superintendent of Police, Virudhunagar,
Virudhunagar District.
- 22 The Superintendent of Police, Dindigul, Dindigul District.
- 23 The Superintendent of Police, Madurai, Madurai District.
- 24 The Superintendent of Police, Tirunelveli, Tirunelveli District.
- 25 The Superintendent of Police, Kanyakumari, Kanyakumari District.
- 26 The Divisional Officer, Prohibition and Excise, Sivakasi.
- 27 The Divisional Excise Officer, Nagercoil, Kanyakumari District
- 28 The Divisional Excise Officer, Padmanabhapuram,
Kanyakumari District



+2CC to Mr.P.M.Vishnu Varthanan,, Advocate, SR.No. 75495 & 75616
+3CC to Mr.H.Arumugam Advocate, SR.No. 74959, 74957, 74958
+1CC to Mr.A.Balaji, Advocate, SR.No. 74931
+1CC to Mr.B.Jameel Arasu Advocate, SR.No. 75470
+1CC to Mr.T.bashyam Advocate, SR.No. 74939
+1CC to Mr.Rajpal Singh,, Advocate, SR.No. 74940
+1CC to Mr.Rajaraman, Advocate, SR.No. 75007
+2CC to the Special Government Pleader SR.No. 65164 & 75167

W.P(MD)Nos.6186 to 6199 of 2017 and W.M.P(MD)Nos.4868 to 4895 of 2017
W.P(MD)Nos.6200 to 6208 of 2017 and W.M.P(MD)Nos.4896 to 4913 of 2017
W.P(MD)Nos.6334 to 6338 of 2017 and W.M.P(MD)Nos.4997 to 5006 of 2017
W.P(MD)Nos.6524 to 6527 of 2017 and W.M.P(MD)Nos.5112 to 5119 of 2017
W.P(MD)No.6844 of 2017 and W.M.P(MD)Nos.5399 and 5400 of 2017
W.P(MD)Nos.6993 to 6998 of 2017 and W.M.P(MD)Nos.5518 to 5529 of 2017
W.P(MD)Nos.8035 to 8038 of 2017 and W.M.P(MD)Nos.6203 to 6210 of 2017
W.P(MD)Nos.8295 to 8297 of 2017 and W.M.P(MD)Nos.6356 to 6359 and 6361 of 2017
W.P(MD)No.8427 of 2017 and W.M.P(MD)Nos.6421 and 6422 of 2017
W.P(MD)Nos.11297 and 11298 of 2017
W.P(MD)No.11374 of 2017 and W.M.P(MD)No.8752 of 2017
W.P(MD)No.11737 of 2017 and W.M.P(MD)Nos.9040 and 9041 of 2017
W.P(MD)No.11778 of 2017 and W.M.P(MD)No.9072 of 2017
AND
W.P(MD)No.13809 of 2017 and W.M.P(MD)Nos.10765 and 10766 of 2017
22.08.2017

rsb

AM/SKN RSK/SAR 2/04.09.2017/21P/40C