



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2017

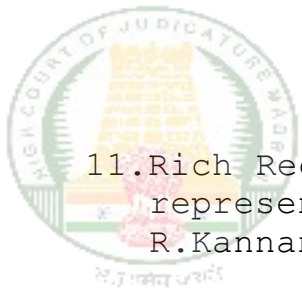
CORAM:

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**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

W.P. (MD) No.19834 of 2013
and
M.P. (MD) Nos.2 and 3 of 2013

- 1.Vanavil Recreation Club,
represented by its Secretary,
Durai Chandran.
- 2.Titanic Recreation Club,
represented by its Secretary,
Durai Raj .
- 3.Welcome Recreation Club,
represented by its Secretary,
M.Mahendran.
- 4.Super Star Recreation Club,
represented by its Secretary,
D.Venkatesh.
- 5.Chakkarapark Club,
represented by its President,
Ramamoorthy.
- 6.Five Star Recreation Club,
represented by its Secretary,
Senthamarai Pandian.
- 7.Welcome Recreation Club,
represented by its President,
Santhanam.
- 8.Seven Star Recreation Club,
represented by its Secretary,
Jenarthanan.
- 9.Latcham Sports Club,
represented by its Secretary,
Thangaraj.
- 10.Ranjith Recreation Club,
represented by its Secretary,
Selvaraj.



11. Rich Recreation Club,
represented by its Secretary,
R. Kannan.

12. Royal Club,
represented by its Secretary,
karuppasamy.

13. Friends Recreation Club,
represented by its Secretary,
K. Thangam.

14. Lotus Recreation Club,
represented by its Secretary,
M. Deivam.

15. Suriya Recreation Club,
represented by its President,
Gopalsamy.

16. Harsini Recreation Club,
represented by its Secretary,
Rajamanikam.

17. Star Recreation Club,
represented by its Secretary,
Sadasivam.

: Petitioners

Vs.

1. The Principal Secretary to Government,
Commercial Taxes and Registration Department,
Government of Tamilnadu,
For St. George, Chennai.

2. The Managing Director,
Tamil Nadu State Marketing Corporation,
CMDA Tower 4th Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai.

3. The District Manager,
Tamil Nadu State Marketing Corporation,
Virudhunagar District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the
Constitution of India for issuance of Writ of Declaration
declaring that G.O. Ms. No. 139 dated 08.11.2013 issued by the first
respondent is inapplicable to holders of FL2 licence.

<https://hcservices.ecourts.gov.in/hcservices/>

For Petitioners

: Mr. G. R. Swaminathan

For Respondents

: Mr. R. Karthikeyan
Additional Government Pleader



ORDER

[Order of the Court was delivered by T.S.SIVAGNANAM, J.]

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In this Writ Petition, the petitioner seeks for declaration to declare G.O.Ms.No.139 dated 08.11.2013 issued by the first respondent is inapplicable to holders of FL2 licence.

2. Heard the learned Counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents.

3. The learned Counsel for the petitioners fairly submitted that the legal issue involved in this case has been decided by the Honourable First Bench of this Court in *Hotel & Bar (FL.3) Association of Tamil Nadu (HOBAT), Nagercoil-629 001 Vs. The Secretary to Government, Commercial Taxes Department, Chennai and another* reported in 2015(2) CWC 105.

4. Though different G.Os were challenged in those writ petitions before the Honourable First Bench of this Court, the legal principle which was decided by the Court applies to the instant case also. Thus, the Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are also dismissed.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

1.The Principal Secretary to Government,
Commercial Taxes and Registration Department,
Government of Tamilnadu, For St.George, Chennai.

2.The Managing Director,
Tamil Nadu Sate Marketing Corporation,
CMDA Tower 4th Floor, Gandhi Irwin Bridge Road,
Egmore, Chennai.

3.The District Manager,
Tamil Nadu State Marketing Corporation,
Virudhunagar District.