



W.P.(MD)No.14615 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.14615 of 2022

and

WMP(MD) Nos.10425 and 10427 of 2022

P.M.Jai Ganesh

.. Petitioner

Vs

**1. The District Collector
Sivagangai**

**2. The Assistant Commissioner of Excise
Sivagangai District**

**3. The Deputy Superintendent of Police
Manamadurai, Sivagangai District**

**4. The Divisional Excise Officer
Sivagangai**

**5. The Tahsildhar
Thiruppuvanam
Sivagangai District**

**6. The Inspector of Police
Thiruppuvanam Police Station,
Sivagangai District**

**7. The Revenue Inspector
Thiruppuvanam
Sivagangai District**

.. Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the impugned peace committee resolution, dated 06.06.2022, under proceedings No. Nil, executed by the respondents 3 to 7 and to quash the same as illegal, lack of jurisdiction and further direct the respondents not to disturb the conductance of the petitioners Club activities, which is performed in the manner known to law.

For Petitioner : Mr.K.R.Laxman

For Respondents : Mr. P.Subburaj
Special Government Pleader

ORDER

The petitioner Secretary of M/s.Vaigai Sports Welfare Club having apprehension that tentative steps would be taken on the recommendation made in the peace committee meeting, dated 06.06.2022 convened by the Tahsildhar, Thirupuvanam, has filed this petition.

2. The contention of the petitioner is that the petitioner is registered under society running club with 192 members and they have



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been allotted FL-2 licence from the authorities. The club is only to the members and not to others. The club was beyond the vicinity of school, college or educational institution or the temple. Prior to the issuance of the certificate, the other authorities have visited the place and gave report. Thereafter, the District Collector had recommended for issuance of licence and thereafter only, the Commissioner of Prohibition and Excise had issued licence to him and the petitioner club is functioning from the year 2016. Few persons who have some motive against the members of the club, have given false complaint and the Tahsildar conducted a peace committee meeting on the given complaint followed by the political party. Thereafter, peace committee meeting has been held by the Tahsildar, in which, the petitioner was not sought for any explanation. On the other hand, it records that objections would be forwarded to the District Collector to take appropriate action. Hence, this petition has been filed.

3. The learned counsel appearing for the respondents would submit that there was agitation by the communist party and they also had a gate demonstration near Thasildhar office, Thirupuvanam creating some



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disturbance in the public movement. Thereafter, peace committee meeting was held and it was resolved that the representation would be forwarded to the District Collector for taking appropriate action. He fairly submitted that the petitioner was not called for peace committee meeting. He further submitted that the peace committee meeting was held on 06.06.2022 and thereafter, representation has been forwarded and so far, no further clarification or enquiry has been conducted. If there is any enquiry, the petitioner to be given opportunity to give his explanation. Thereafter, it would be considered and appropriate decision can be taken by the authorities.

4. It is seen that except for forwarding the proposal of the peace committee meeting to the District Collector, nothing further had happened. If any further enquiry or proceedings is initiated or contemplated, the petitioner to be given notice, so that, he can make his explanation and objections. Thereafter, the authorities shall take appropriate action in the manner known to law.



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5. With the above direction, the Writ Petition stands disposed of.

No costs. Consequently connected miscellaneous petitions are also closed.

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Index: Yes/No

Internet : Yes/No

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M.NIRMAL KUMAR, J.

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