



W.P.No.23190 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.08.2024

Coram

The Hon'ble Mr.Justice Krishnan Ramasamy

W.P.No.23190 of 2024

V.Manoharan

...Petitioner

Vs.

1. The District Collector,
Chengalpattu District,
Chengalpattu.

2. The Commissioner of Prohibition and Excise,
2nd Floor, Ezhilagam Building,
Chepauk,
Chennai-600 005.

3. The Assistant Commissioner and Excise,
Chengalpattu District,
Chengalpattu.

4. The Inspector of Police (Law and Order),
T-3, Pallavaram Police Station,
Chennai-600 043.

5.M/s.Ultimate Sports Royal Club,
Rep. by its Chairman,
N.Saravanan.
Old No.158, New No.13,
Old Trunk Road,
Pallavaram, Chennai-600 043.



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6. S.Vijayakumar

7. P.Chellapandi

... Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1 to 4 respondents to consider the representation dated 28.04.2022, 13.10.2022, 27.11.2023 and 26.06.2024 that the FL2 Bar License expired on 31.03.2024 for ULTIMATE SPORTS ROYAL CLUB at Old No.158, New No.13, Old Trunk Road, Pallavaram, Chennai-600 043 comprised in Re-survey No.10/2, Pallavaram Taluk, Chengalpattu District the respondents 5 to 7 are illegally running the bar, to conduct an inquiry and if any illegally found as per the FL2 norms action to be taken against the respondents 5 to 7.

For Petitioner : Mr.G.M.Syed Fasi Mohammed

For Respondents 1 & 3 : Mr.P.Balathandayutham
Special Government Pleader

For Respondent 2 : Mr.M.Sekar,
Standing Counsel

For Respondent 4 : Mr.R.Kishore Kumar
Government Advocate (Crl.side)

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the respondents 1 to 4 to consider the representations dated 28.04.2022, 13.10.2022, 27.11.2023 and 26.06.2024 that the FL2 Bar License



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expired on 31.03.2024 for ULTIMATE SPORTS ROYAL CLUB at Old No.158, New No.13, Old Trunk Road, Pallavaram, Chennai-600 043 comprised in Re-survey No.10/2, Pallavaram Taluk, Chengalpattu District, the respondents 5 to 7 are illegally running the bar, to conduct an inquiry and if any illegally found as per the FL2 norms action to be taken against the respondents 5 to 7.

2. Heard Mr.G.M.Syed Fasi Mohammed, learned counsel appearing for the petitioner, Mr.P.Balathandayutham, learned Special Government Pleader for the respondents 1 & 3, Mr.M.Sekar, learned Standing Counsel for the second respondent and Mr.R.Kishore Kumar, learned Government Advocate (Crl.side) for the fourth respondent.

3. By consent of the parties, the main Writ Petition is taken up for disposal at the admission stage itself.

4. The case of the petitioner is that, the 5th respondent is running a ULTIMATE SPORTS ROYAL CLUB in the aforesaid property, which is situated in opposite to the petitioner's house. The main grievance of the petitioner is that the said Bar/Club is kept open till the late night and causing



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hindrance to the petitioner and other local residents. Therefore, the petitioner made a representation dated 28.04.2022 before the first respondent against the respondents 5 to 7 for violations and breach of condition stipulated in the License. However, till date, the first respondent has not conducted any inquiry. On 08.08.2022, by way of RTI, the petitioner came to know that the building approval has not been issued for running the aforesaid club. Therefore, the petitioner made a second representation dated 13.10.2022 to the first respondent and the Tamil Nadu Chief Minister Cell to stop proceeding for the Ultimate Sport Royal Club License. However, the first and second respondents without conducting any inquiry on the representation made by the petitioner on 28.04.2022 and without verifying the FL2 Bar norms, the second respondent has issued the License No.26/2023-2024 in favour of the seventh respondent. Thereafter, on 27.11.2023, all the local residents made a objection/representation before the first respondent, seeking cancellation of aforesaid Bar/club Licence. Since the said representation was not considered by the first respondent. Therefore, again, the petitioner made another representation dated 26.06.2024, before the respondents 1 to 3, stating that FL2 Bar Licence has been expired for the aforesaid Bar/Club on 31.03.2024 and the respondents 5 to 7 are running a FL2 Bar illegally. However, till date, no action



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has been taken by the respondents 1 to 3, and, hence the petitioner has filed the present Writ Petition.

5. The learned counsel for the petitioner submitted that, it would suffice, if this Court issues a direction to the respondents 1 to 4 to consider the petitioner's representations dated 28.04.2022, 13.10.2022, 27.11.2023 and 26.06.2024 and pass orders on the same within a particular time frame that may be fixed by this Court.

6. The learned Special Government Pleader for the respondents 1 to 3, would submit that, the petitioner's representations dated 28.04.2022, 13.10.2022, 27.11.2023 and 26.06.2024 will be considered and an appropriate orders will be passed as expeditiously as possible.

7. Heard on both sides and perused the materials available on record.

8. Considering the above submissions made by the learned counsel on either side, this Court issues a direction to the respondents 1 to 3 to consider the petitioner's representations dated 28.04.2022, 13.10.2022, 27.11.2023 and



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26.06.2024 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner and other aggrieved persons including the 6th and 7th respondents, within a period of 4 (four) weeks from the date of receipt of a copy of this order.

9. With the above direction, this Writ Petition is disposed of. No costs.

14.08.2024

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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Krishnan Ramasamy,J.,
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