



W.P. No.35998 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.35998 of 2024

R.Anbarasu

: Petitioner

versus

- 1.The Principal Secretary to Government,
Secretariat,
Fort St. George,
Chennai,
Tamil Nadu -600009
- 2.The Home Secretary of Tamil Nadu,
Secretariat,
Fort St.George,
Chennai,
Tamil Nadu 600009
- 3.The Commissioner of Prohibition and Excise,
Ezhilagam Building,
Chepauk,
Chennai-600 005.
- 4.The District Collector,
Office of the District Collectorate,
Tiruppur,
Tiruppur District,
PIN 641 605



W.P. No.35998 of 2024

5.The Assistant Commissioner of Prohibition and Excise,
Office of the District Collectorate,
Tiruppur,
Tiruppur District,
PIN 641 605

6.Revenue Divisional Officer,
Uthukkuli Taluk,
Tiruppur District

7.The Superintendent of Police,
Office of the Superintendent of Police,
Tiruppur,
Tiruppur District,
PIN 641 605

8.The Manager,
Tamil Nadu State Marketing Corporation Limited, (TASMAC),
Tiruppur.

9.The Inspector of Police,
Uthukkuli Police Station,
Uthukkuli,
Tiruppur District

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking for a Writ of Mandamus, directing respondents 3 and 5 to consider petitioner's representation dated 07.10.2024 and 18.10.2024 and pass orders.

For Petitioner : Mr.H.Manojin

For Respondent :Mr.P.Balathandayutham
Special Government Pleader
for respondents 1 to 6

Mr.V..Priyadarsana
Government Advocate (Crl Side)
for respondents 7 and 9



Mr.M.Sekar
Standing Counsel
for 8th respondent

ORDER

The writ petition has been filed praying for a writ of Mandamus to direct the respondents 3 and 5 to consider the representations dated 07.10.2024 and 18.10.2024.

2. It is submitted by the learned counsel for the petitioner that the petitioner is the vice president of S.Periyapalayam panchayat. There was a TASMACH Shop, which was adjacent to the highways in S.No.51/1A and was removed on the basis of the order of the Hon'ble Apex Court. In the said place, a club is functioning under the name and style of S.R.V Recreation Club and the said club has sought for FL2 License. The petitioner had submitted his objection with regard to grant of FL2 Licence to the club vide its representations dated 07.10.2024 and 18.10.2024 and the same are still pending. Hence, his limited request is to consider the representations filed by the petitioner.



W.P. No.35998 of 2024

3. At the outset, it is submitted by the learned Special Government Pleader appearing for respondents 3 and 5, that the representations of the petitioner would be considered and orders would be passed, after putting the club and all interested parties/stake holders on notice and after affording the petitioner, club and other interested parties/stake holders a reasonable opportunity of hearing, within a period of eight weeks from the date of receipt of a copy of this order.

4. In view of the same, taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to respondent authority to consider the petitioner's representations dated 07.10.2024 and 18.10.2024, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner, club and any other interested persons/stake holders, within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representations and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law.



W.P. No.35998 of 2024

5. With the above directions, the writ petition stands disposed of. There will be no order as to costs.

05.12.2024

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

mrn

To

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W.P. No.35998 of 2024

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W.P. No.35998 of 2024

MOHAMMED SHAFFIQ, J.

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W.P. No.35998 of 2024

05.12.2024