



W.P.(MD)No.2850 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.2850 of 2025

and

WMP (MD) No.2000 of 2025

Hotel Gowri Tourist Home
Boarding and Lodging,
Rep. by its Proprietor R.Rajangam

: Petitioner

Vs.

1. The Commissioner,
Prohibition and Excise Department,
Ezhilagam,
Chennai - 5.

2. The District Collector,
Dindigul,
Dindigul District.

3. The Assistant Commissioner,
Prohibition and Excise Department,
Collector Office Campus,
Dindigul,
Dindigul District.

4. The Tahsildar,
Nilakottai Taluk,
Nilakottai,
Dindigul District.



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5. The Batlagundu Special Grade,
Town Panchayat,
Through Its, Executive Officer,
Batlagundu,
Dindigul District.

6. The District Manager,
TASMAC, Theni.

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the impugned order passed by 4th respondent in Na.Ka.No. 3317/2024/B1 dated 27.11.2024 and quash the same as the impugned order was passed without authority of law and consequently direct the 1st respondent to process petitioner renewal application for FL-3 license as per the provision Section 7 of the Tamilnadu Buildings (Licensing) act 1965.

For Petitioner : Mr. N.S.Karthikeyan

For Respondents : Mr.J.K.Jataselan

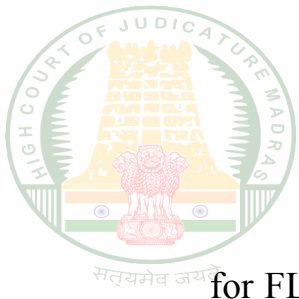
Government Advocate for R1 to R4

Mr.B.Saravanan

Addl.Govt.Pleader for R5

ORDER

The instant writ petition has been filed challenging the rejection order of the fourth respondent dated 27.11.2024 and to direct the first respondent to process the renewal application of the petitioner



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for FL-3 licence as per the provision Section 7 of the Tamil Nadu Public Buildings (Licensing) Act, 1965.

2. The petitioner's case is that he has been operating a Boarding and Lodging House under the name and style of "M/s. Gowri Tourist Home" in S.No. 1278/17, Batlagundu Village, Nilakottai Taluk, Dindigul District, since 1997. The petitioner's grievance is that he applied for the renewal of the FL-3 licence before the first respondent on 13.05.2024, submitting all the required documents. However, on 27.08.2024, the fifth respondent issued a letter of objection, based on which the present impugned order rejecting the petitioner's application was passed. Aggrieved by this, the petitioner has filed the present writ petition.

3. The learned Government Advocate, appearing on behalf of the respondents 1 to 4, submits that the petitioner has an adequate and effective alternate remedy under Section 11 of the Tamil Nadu Public Buildings (Licensing) Act, 1965, against the refusal of the licence.



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4. Accordingly, the Writ Petition stands disposed of, granting liberty to the petitioner to avail of the appeal mechanism under Section 11 of the the Tamil Nadu Public Buildings (Licensing) Act, 1965, against the refusal to renew the FL-3 licence, within a period of two weeks from the date of receipt of a copy of this order. In case, if any such appeal is filed by the petitioner within a period of two weeks from today, the appellate authority shall entertain the said appeal on merits without reference to the period of limitation. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

18.03.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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