



W.P(MD)No.16240 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Writ Petition(MD)No.16240 of 2025

and

W.M.P(MD)No.12333 of 2025

Suresh

..Petitioner

Vs.

- 1.The District Collector,
Collector Office Campus,
Thanjavur District,
Thanjavur.
- 2.The Sub Collector / The District Manager,
Government TASMAL Office,
Sipcot,
Thanjavur District.
- 3.The State of Tamil Nadu rep.
The Inspector of Police,
Prohibition Enforcement Division,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned Notice Na.Ka. 269/2022/A3 dated 14.05.2025 issued by the 2nd respondent and quash the same as illegal and consequently direct the 2nd respondent for giving permission to run the petitioner's bar which is annexed with the ilquor vending shop No. 8097.



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For Petitioner : Mrs.A.Banumathy
For Respondents : Mr.K.R.Badurus Zaman
Govt. Advocate (for R1)

Mr.H.Arumugam
Standing Counsel (for R2)

Mr.M.Vaikkam Karunanithi
(for R3)

ORDER

The petitioner seeks to quash the impugned Notice Na.Ka. 269/2022/A3 dated 14.05.2025 issued by the 2nd respondent and to direct the 2nd respondent to give permission to run his bar, which is annexed with the liquor vending shop No.8097.

2. Mr.K.R.Badurus Zaman, learned Government Advocate takes notice for the first respondent. Mr.H.Arumugam, learned standing counsel, takes notice for the second respondent. Mr.M.Vaikkam Karunanithi, learned Government Advocate (criminal side) takes notice for the third respondent. By consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner is a successful licensee of the Bar, which was attached to the TASMACH shop. The license period to run the bar is between 28.12.2023 and 31.12.2025. It appears that the petitioner



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had opened the bar on 01.05.2025 and it is seen that 869 bottles were seized by the third respondent. It was contrary to the provision since he opened the bar on 01.05.2025 on account of May Day. Under these circumstances, an FIR has been lodged against the petitioner in Crime No.95 of 2025 dated 01.05.2025 by the third respondent police. In the light of the above, the petitioner has been issued a show cause notice dated 02.05.2025 calling for an explanation from the petitioner as to why action should not be taken.

4. A copy of the show cause notice was also produced by the learned counsel for the second respondent. There is no proposal in the show cause notice to suspend or revoke the licence. The petitioner was merely asked to give an explanation. The period of the licence itself is to come to an end on 31.12.2025. Unless the show cause notice specifies the action proposed to be taken under the relevant statute, the impugned order suspending the licence of the petitioner cannot be countenanced. Therefore, the impugned order is set aside, and the case is remitted back to the second respondent to pass a fresh order by treating the impugned show cause notice as an addendum to the notice dated 02.05.2025 calling upon the petitioner to show cause as to why the petitioner's bar licence should not be revoked or suspended. The said exercise shall be completed by the



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respondents within a period of 30 days from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

18.06.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

To

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- 2.The Sub Collector / The District Manager,
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C.SARAVANAN, J.

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