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W.P.(MD) No.20927 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

W.P.(MD) No.20927 of 2025

and

W.M.P.(MD) Nos.16197, 16198 & 16199 of 2025

Ramesh Kumar

... Petitioner

-vs-

- 1.The Commissioner of
Prohibition and Excise
Ezhilagam, Chepauk
Chennai-600 005
- 2.The Managing Director (TASMAC)
Tamil Nadu State Marketing
Corporation
CMDA Building, Tower II
Gandhi Irwin Bridge
Egmore, Chennai-600 008
- 3.The District Collector
Thoothukudi District
Thoothukudi
- 4.The Superintendent of Police



W.P.(MD) No.20927 of 2025

WEB COPY

Thoothukudi District
Thoothukudi

5.The District Manager
TASMAC
Thoothukudi District
Thoothukudi

6.The District Registrar
Thoothukudi District
Thoothukudi

7.Relax Recreation and Sports Club
(Reg.No.44/2023)
rep.by its Secretary B.Vignesh
No.140/3 to 12, West Cross Street
Vilathikulam Village
Vilathikulam Taluk
Thoothukudi District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records on the file of the 1st respondent in connection with the impugned order passed *vide* his proceedings in R.Dis.No.P&E.2(1)/4120/2023 dated 12.09.2024 and quash the same as illegal and arbitrary and consequently directing the 6th respondent to cancel the registration of the 7th respondent's club and to take action against the 7th respondent club for illegally selling liquor to the general public within the time limit stipulated by this Court.



WEB COPY

W.P.(MD) No.20927 of 2025

For Petitioner : Mr.A.S.Vaigunth

For Respondents : Mr.J.Ashok
Addl. Government Pleader for R1, R3 & R6
Mr.T.Senthil Kumar
Additional Public Prosecutor for R4
Mr.S.Sivanesan for R2 & R5

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

This writ petition has been instituted assailing the order dated 12.09.2024, passed by the first respondent, granting FL2 licence to the seventh respondent and consequently, to direct the sixth respondent to cancel the registration of the seventh respondent's club and to take action against the said club for illegally selling liquor to the general public.

2. At the outset, it is to be noted that on the similar issue, this Court, by a detailed common order dated 18.08.2025, disposed of a batch of writ petitions in W.P.(MD) Nos.8038 of 2019, 19890 of 2020, 7409, 25271, 26471 of 2024, 16476, 18756, 21754 & 22021 of 2025, by issuing the following directions:



W.P.(MD) No.20927 of 2025

WEB COPY

- “(i) *The Inspector General of Registration is directed to ensure that the Recreation Clubs selling liquor have incorporated a specific clause in their by-laws, which must be approved by due verification and in accordance with the laws in force. In the absence of any such clause in the by-laws, registration of such Recreation Clubs is to be cancelled.*
- (ii) *In view of the facts and circumstances, this Court is of the view that it would be appropriate to suo motu implead the Director General of Police as a party respondent in this matter. Accordingly, the Director General of Police, No.4, Dr.Radhakrishnan Salai, Mylapore, Chennai-600 004, is suo motu impleaded as a party respondent in W.P.(MD) No.7409 of 2024. Mr.T.Senthil Kumar, learned Additional Public Prosecutor, takes notice for the newly impleaded Director General of Police. Registry is directed to carry out the impleadment.*
- (iii) *The Director General of Police is directed to ensure that periodical surprise inspections are conducted by the police officials in the Recreation Clubs and its licences, documents and the activities inside the Clubs are verified and in the event of identifying any offence or illegality, the offenders are to be prosecuted. The criminal actions taken by the police authorities must be intimated to the concerned District*



W.P.(MD) No.20927 of 2025

WEB COPY

Registrar of the Registration Department for the purpose of initiation of action under the Tamil Nadu Societies Registration Act, 1975.

- (iv) The competent authorities, on receipt of information or complaint, are directed to conduct inspections in the Recreation Clubs and verify the validity of the FL2 licences and the conditions stipulated therein and initiate appropriate actions in the manner known to law.*
- (v) The activities of these Recreation Clubs, genuinity of the objectives approved in the by-laws under the Tamil Nadu Societies Registration Act, 1975, all are to be monitored closely by the police authorities, authorities of the Registration Department and Prohibition and Excise Department, so as to ensure the right to life of the residents in that locality and in order to maintain public health by the State, which is a mandate under the Constitution of India and the fundamental rights ensured to the citizens in general.”*

3. In view of the above, this writ petition is squarely covered by the said common order and hence, this writ petition is disposed on the same



W.P.(MD) No.20927 of 2025

WEB COPY

lines of the common order dated 18.08.2025, passed in W.P.(MD) Nos.8038 of 2019, 19890 of 2020, 7409, 25271, 26471 of 2024, 16476, 18756, 21754 & 22021 of 2025. No costs. Consequently, connected miscellaneous petitions are closed.

[S.M.S., J.]

[G.A.M., J.]

26.08.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

- 1.The Commissioner of
Prohibition and Excise,
Ezhilagam, Chepauk,
Chennai-600 005.
- 2.The District Collector,
Thoothukudi District,
Thoothukudi.
- 3.The Superintendent of Police,
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- 4.The District Registrar,
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WEB COPY



W.P.(MD) No.20927 of 2025



WEB COPY



W.P.(MD) No.20927 of 2025

S.M.SUBRAMANIAM, J.
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krk

W.P.(MD) No.20927 of 2025
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26.08.2025