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W.A.(MD)NO.1880 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.A.(MD)No.1880 of 2023 AND

C.M.P.(MD)No.14373 of 2023

1. The Commissioner of Prohibition and Excise,
Chepauk,
Chennai – 600 005.

2. The District Collector,
Madurai District,
Madurai -625 020.

... Appellants / Respondents1&2

Vs.

1. Honey Bee Recreation Club,
Rep. by its Secretary,
P.Muthu Vairavan,
S/o.V.Palaniandi,
1/182, Ring Road,
Viraganur, Madurai District.

... 1st Respondent / Writ petitioner

2. The Managing Director,
Tamil Nadu State Marketing
Corporation Ltd., (TASMAC),
Egmore, Chennai.

... 2nd Respondent / 3rd Respondent

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, to
set aside the order passed in W.P.(MD)No.13930 of 2023 dated
19.06.2023.



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For Appellants : Mr.M.Ajmal Khan,
Additional Advocate General,
assisted by,
Mr.N.Satheesh Kumar,
Additional Government Pleader.

For R-1 : Mr.T.Lajapathy Roy,
Senior counsel,
for M/s.Lajapathy Roy and Associates.
For R-2 : Mr.H.Arumugam,
Standing counsel.

* * *

J U D G M E N T

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard the learned Additional Advocate General appearing for the appellants and the learned Senior counsel appearing for the writ petitioner / first respondent and the learned Standing counsel appearing for the second respondent.

2. The writ petitioner was running a recreation club at the petition mentioned site. They were enjoying FL2 license. Renewal was refused. The license was cancelled by the Commissioner of Exercise on 29.05.2023 citing certain defects. Challenging the same, the writ petition was filed.

3. The learned single Judge noted that the defects pointed out by the authority have since been rectified and allowed the writ petition. Aggrieved by the same, this writ appeal has been filed.



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4. After hearing the learned counsel on both side at length, the issue boiled down primarily to access. We called upon the authorities to conduct spot inspection. The Assistant Commissioner has conducted spot inspection and reported that the access is available from Madurai-Rameswaram road. The writ petitioner informs the Court that they would not use Madurai-Thoothukudi road for access purpose. In view of this subsequent development and the report of the Assistant Commissioner, we do not interfere with the order of the learned single Judge. In the event of the writ petitioner violating the license terms and conditions, it is always to the appellants to take action as per law. The writ petitioner is directed to abide by the undertaking given before us that they would not access from Madurai-Thoothukudi highways. This writ appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (K.RAJASEKAR, J.)
10th July 2025

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