

W.P(MD)No.26288 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.08.2025

CORAM:

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

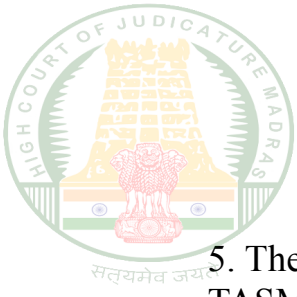
W.P(MD)No.26288 of 2023

P.Nagaraj

... Petitioner

Vs

1. The Commissioner,
Prohibition and Excise Department,
Secretariat,
Chennai - 9.
2. The District Collector,
Dindigul District,
Dindigul.
3. The Assistant Commissioner (Excise),
Dindigul District, Dindigul.
4. The District TASMAL Manager,
TASMAL Limited,
Dindigul District,
Dindigul.



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5. The Zonal Excise Officer,
TASMAC Limited,
District Collector Office,
Dindigul District.

6. The Special Tahsildar,
Excise Department,
TASMAC Limited,
Natham,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to relocate the TASMAC Shop namely Sirumalai Roja Recreation Club and Welfare Association which was stalled at Sirankattupatti Village, Natham Taluk, Dindigul District, based on the representation of the petitioner dated 25.09.2023, within time frame as fixed by this Court.

For Petitioner : Mr.Raghuman Khan .M,

For Respondent : Mr.J.Ashok (R1-R3)
Additional Government Pleader



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ORDER

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

The writ on hand has been instituted seeking a direction to the respondents to relocate the TASMAL Shop namely Sirumalai Roja Recreation Club and Welfare Association which was stalled at Sirankattupatti Village, Natham Taluk, Dindigul District, based on the representation of the petitioner dated 25.09.2023.

2.At the outset it is to be noted 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:

"(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



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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 Registrar of the*



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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."*



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3.In view of the above, the present writ petition is squarely covered by the said common order and hence, the writ petition is disposed of on the same 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. There shall be no order as to costs.

[S.M.S., J.] [G.A.M., J.]
26.08.2025

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

To
1. The Commissioner,
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Secretariat,
Chennai - 9.

2. The District Collector,
Dindigul District,
Dindigul.

3. The Assistant Commissioner (Excise),
Dindigul District,
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S.M.SUBRAMANIAM, J.
and
G.ARUL MURUGAN, J.

LR

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