



W.P.No.9937 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WP No.9937 of 2026

M.Pradeep
S/o.A.R.Mani,
No.1, Rani Mangammal Nagar,
Kongu Main Road,
Tiruppur - 641 601.

Petitioner(s)

Vs

1. The Commissioner of Prohibition and Excise
Prohibition and Excise Department,
Chepauk, Chennai – 600 028.
2. The District Collector
District Collectorate Office,
Tiruppur - 641 601.
3. The District Assistant commissioner
Prohibition and Excise Department,
District Collectorate Office,
Tiruppur - 641 601.
4. The Commissioner of Police
Tiruppur City Commissioner Office,
Tiruppur - 641 601.

Respondent(s)



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PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 4th respondent not to grant permission for FL2 Manamagil Mandram at Kongu Nagar Main road, MS Nagar Tiruppur.

For Petitioner(s): Ms.R.Sakthi Priya

For Respondent(s): Mr. K.Karthik Jagannath
Government Advocate
for R1 to R3

Mr. K.M.D.Muhilan
Additional Public Prosecutor
for R4

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Apprehending that FL-2 license would be granted to one Vignesh Prabhu, owner of S.S.Hotel, to run a liquor shop under the name "Manamagil Mandram" at a location which is opposite to a temple and in close vicinity of a school, the petitioner sent a representation to the respondents on 6.11.2025 requesting them to enjoin from granting the license. As the said representation did not evoke any response, the present writ petition is filed.



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2. It is not in dispute that till date the respondent authorities have not granted FL-2 license in favour of any person qua the location where the petitioner alleges that the shop is likely to be run. That apart, the person who is alleged to have made an application to the respondents seeking grant of FL-2 license has not been arrayed as a party respondent in the present writ petition. Therefore, the writ petition suffers from non-joinder of necessary party, as his rights would be directly affected by any order that would be passed in the writ petition.

3. It, prima facie, appears that the entire basis for filing of this writ petition is a presumption that the respondents might grant license to some person in contravention of the Rules. If the shop is situated within the prohibited distance from a temple and the school, the authorities are bound to consider the same.

4. The entire case of the petitioner rests on surmises and conjectures. Even as per the petitioner the shop, which functioned in the said premises, was closed in 2022 pursuant to issuance of a



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government order, and, in 2025, no permission was granted to run the shop at the same location. If that be so, there is no basis for the petitioner to presume that now the authorities would grant permission. The authorities, as stated above, have not taken a decision till date. The writ petition is premature and solely based on surmises and conjectures.

Writ petition is, therefore, dismissed. There shall be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
01.04.2026

Index : Yes/No
Neutral Citation : Yes/No
sasi



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(sasi)

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