



WEB COPY



W.P. No.22625 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2026

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.22625 of 2026

and

W.M.P. No.24539 of 2026

P.Senthil Kumar

..Petitioner(s)

Vs

1. State of Tamil Nadu
Rep by its Secretary
Home Prohibition and Excise Department,
Fort St. George, Chennai 600 009.
2. Tamil Nadu State Marketing Corporation Ltd
(TASMAC)
Rep by its Management Director,
Egmore, Chennai 600 008.
3. The District Collector
Perambalur District.
4. The Senior Regional Manager, TASMAC
Trichy Region.
5. The District Manager, TASMAC
Perambalur District.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorari calling for the records relating to the impugned proceedings / order Na.ka. No 263/ 2026 / CV /A3 dated 12.05.2026 issued pursuant to press Release No 007 dated 12.05.2026 in so far as the petitioners



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TASMAC shop No 6320 Elambalur, Perambalur District is concerned and
quash the same.

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For Petitioner : Dr.T.Seenivasan
For Respondents : Mr.K.Sathish Kumar for
R1, R2, R4 and R5
Mr.C.Prabakaran
Government Counsel for R3

ORDER

This writ petition has been filed challenging the impugned proceedings initiated pursuant to Press Release No.007 dated 12.05.2026 issued by the respondents proposing closure of TASMAC retail vending shops allegedly situated within 500 metres from educational institutions, places of worship and bus stands, insofar as the petitioner's Bar attached to TASMAC Shop No.6320 situated at Elambalur, Perambalur District is concerned.

2. It is the case of the petitioner is that he is the successful licensee of the Bar attached to TASMAC Shop No.6320 and the licence granted in favour of the petitioner is valid up to 30.06.2026 for the licence period commencing from 01.01.2026. He paid the requisite licence amount and has been running the bar attached to the TASMAC shop from 22.12.2023 without any adverse remarks. While so, the respondents issued Press Release No.007 dated 12.05.2026 stating that several TASMAC retail vending shops situated within 500 metres from educational institutions, places of worship and bus stands would be closed pursuant to a policy decision taken by the Government. It is the grievance of the



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petitioner that no inspection was conducted before arriving at a decision for closure of the said shop. Aggrieved by the proceedings of the respondents dated 12.05.2026, this writ petition has been filed.

3. Learned counsel appearing for the petitioner submitted that the petitioner's licence is valid up to 30.06.2026 and the petitioner has already remitted the licence amount for the entire period. Learned counsel further argued that the respondents cannot prematurely terminate the licence issued to the petitioner without issuing any show cause notice. He strongly contended that the Bar licensee is entitled to be put on notice as the licence period is still in force, even though TASMAC shop was closed. The argument put forth by the learned counsel is that without assigning reasons or without show cause notice, insisting upon the petitioner to close the Bar attached to TASMAC shop is illegal in the eyes of law. The aforesaid action of the respondents is violation of principles of natural justice and hence, he prayed before this Court to quash the said proceedings dated 12.05.2026.

4. Per contra, the learned Standing Counsel appearing for the respondents 1, 2, 4 and 5 submitted that the Bar is only an attached facility to the TASMAC retail vending shop. Once the Government has taken a policy decision to close the TASMAC shop, the attached Bar cannot continue independently. Therefore, he submitted that no separate proceedings are necessary and the Bar has to be



closed along with the respective TASMACH shop. On the aforesaid score, he prayed for dismissal of this writ petition.

5. Heard the rival submissions made by learned counsel on either side and perused the entire records.

6. It is not in dispute that the petitioner was granted licence to run the Bar attached to TASMACH Shop No.6320 and the same will expire by 30.06.2026. It is also not in dispute that the petitioner had paid the requisite licence amount for the entire tenure. Admittedly, the closure of the respective TASMACH shop was done pursuant to a policy decision taken by the State Government. True it is that the closure of the TASMACH shop is based on the policy decision taken by the State, however, insofar as the Bar is concerned, though it is attached to the TASMACH shop, it has its separate identity, as the licence has been granted separately. Though the Bar was utilised for the purpose of persons consuming liquor when the TASMACH shop was functional, however, it cannot be precluded that the place, coined as Bar, cannot be used for any other purpose till the end of the licence period. If at all the respondents want to close the Bar for which licence has been granted, the procedure of putting the petitioner on notice and affording an opportunity is *sine qua non* for passing the impugned order of closure and without affording opportunity, the Bar cannot be closed. Therefore, in the considered view of this Court, though the respondents are



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entitled to implement the policy decision taken by the State Government regarding closure of certain TASMAL shops, any action affecting the subsisting licence granted in favour of the petitioner is required to be dealt with in accordance with law. In the absence of any show cause notice and hearing the petitioner, the impugned action of the respondents in directing closure of the Bar cannot be sustained.

7. For the aforesaid reasons, the impugned proceedings of the respondents dated 12.05.2026 is hereby set aside and the writ petition is allowed. The respondents are directed to permit the petitioner to continue to run the Bar which was attached with the TASMAL Shop No.6320, which has since been ordered to be closed, till the expiry of the licence period, i.e., upto 30.06.2026. No costs. Consequently, connected miscellaneous petition is closed.

17.06.2026

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

vsi2

To :

1. State of Tamil Nadu
Rep by its Secretary
Home Prohibition and Excise Department,
Fort St. George, Chennai 600 009.



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M. DHANDAPANI, J.

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2. Tamil Nadu State Marketing Corporation Ltd (TASMAC)
Rep by its Management Director,
Egmore, Chennai 600 008.

3. The District Collector
Perambalur District.

4. The Senior Regional Manager, TASMAC
Trichy Region.

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