



W.P.(MD).No.7615 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23-03-2026

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD).No.7615 of 2026

and

W.M.P(MD).No.6244 of 2026

M/s. Seven Star Recreation Club,
Rep. by its Secretary,
M. Solasivarajan,
S/o.S.S.Murugesan,
D. No.2/506, Kalikappan 2 Bit,
Sivagangai Main Road,
Karuppayurani East Taluk,
Madurai District.

... Petitioner

Vs.

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

2. The Assistant Commissioner,
O/o. The Assistant Commissioner,
Excise Department,
Collectorate Campus,
Madurai District.

3. The Tamil Nadu State Marketing Corporation Limited,
Represented by its District Manager,
TASMAC Madurai North,
Madurai - Rameswaram Highway,
Kalugar Kadai Vilakku,
Manalur,
Thirupuvanam Taluk,
Sivagangai District - 630 611.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent No.2 and 3 to permit the petitioners Recreational Club namely M/s. Seven Staff Recreation Club to lift the stock from IMFS Depot Madurai East within the time frame stipulated by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner	: Mr.T.Lajapathi Roy Senior Counsel for M/s.Roy and Roy Associates
For R1 and R2	: Mr.M.Lingadurai Special Government Pleader
For R3	: Mr.H.Arumugam Standing Counsel

ORDER

The writ petition is filed for mandamus directing the respondents 2 and 3 to permit the petitioner's recreational club, viz., M/s.Seven Star Recreational Club to lift the stock from the IMFS depot, Madurai East, within the time frame stipulated by this quote.

2. Heard Mr.T.Lajapathi Roy, learned Senior Counsel appearing for the petitioner, Mr.M.Lingadurai, learned Special Government



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Pleader, who takes notice for R1 and R2 and Mr.H.Arumugam, learned Standing Counsel, who takes notice for R3.

3. The learned Senior Counsel appearing for the petitioner would submit that the petitioner club has been granted FL2 license and the same is valid up to March 2027. The approved quantity of off-take has also been sanctioned by proceedings dated 23.02.2026. The quantity of units was also allotted and off-take has been permitted. In spite of the same, till date, the petitioner is not permitted to lift the stock by the officer concerned from the godown.

4. When the matter came up for admission today, the learned Special Government Pleader appearing for the respondents 1 and 2 would submit that it is true that the petitioner has got a license, but however, there is a resentment and objection on behalf of the residents surrounding their club. Pending consideration of such objections, the off-take is not being permitted.

5. I have considered the rival submissions made on either side and perused the material records of the case.



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6. If the place of consumption of liquor is situated in an inappropriate location and if the residents in the vicinity or any other person raise lawful objections, it is for the authority that granted the licence to examine the issue. The authority shall, after affording due opportunity to the petitioner, pass appropriate orders with regard to the continuation or cancellation of the licence, as the case may be. Such exercise shall be undertaken strictly in accordance with law and after giving due opportunity to the petitioner.

7. On the other hand, while the licence remains in force, the stocks duly allotted to the petitioner cannot be denied to him. Therefore, the existence of public objection can be a ground only for reconsideration of the licence, and not for refusing permission to the petitioner to lift the stock. If there is no other legal impediment, the petitioner shall be permitted to lift the stock allotted to him within a period of two weeks from the date of receipt of a copy of this order.

8. It is made clear that if there is any restriction with reference to election notification, the petitioner can even be permitted to lift the stock after the polling date is over.



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9. With the aforesaid directions and liberty to appropriate authority to take action with reference to license in the manner known to law, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

23.03.2026

Index: Yes
Speaking Order: Yes
Neutral Citation: No
rgm



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D.BHARATHA CHAKRAVARTHY, J.

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