



W.P.(MD) No.8643 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.03.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD) No.8643 of 2026

5 Star Sports and Recreation Club,
Rep. by its Secretary,
P.Ganeshkumar,
S/o.Paramasivam,
No.194, VOC road,
Karaikudi, Sivagangai District.

... Petitioner

Vs.

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

2.The Managing Director,
TASMAC,
No.8, CMDA Tower 4th Floor,
Gandhi Irvin Road,
Egmore, Chennai - 600 008.

3.The District Manager,
Office of the District Manager,
TASMAC, Karaikudi,
Sivagangai District.

4.The Manager,
IMFS Depot, TASMAC,
Sivagangai District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the second respondent to issue purchase order to the petitioner club in order to lift the stock from IMFS Depot, Sivagangai, based on the representation dated 18.03.2026 within time frame fixed by this Court.

For Petitioner : Mr.T.Bashyam
For R1 : Mr.M.Lingadurai
Special Government Pleader
For R2 to R4 : Mr.H.Arumugam
Standing Counsel

ORDER

The prayer in this Writ Petition is for a mandamus directing the second respondent to issue a purchase order to the petitioner club in order to lift the stock from the IMFS Depot, Sivagangai, based on the petitioner's representation dated 18.03.2026.

2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the grievance of the petitioner is that the petitioner is having a valid FL2 licence and the same is valid up to tomorrow, i.e., 31.03.2026, and the petitioner has also made an application for renewal within the due time. Therefore, at this juncture,



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there is no ground for the respondents to withhold the issue of stock and the lifting of stock by the petitioner from the IMFS Depot. The same has not been done in spite of the representation of the petitioner. The respondents are not allowing the permitted stock to be removed by granting stock and issuing a permit to move the same. Hence, the writ petition.

3. When the matter came up for hearing, the learned Special Government Pleader, taking notice on behalf of the first respondent, would submit that the further orders of lifting the stock will be subject to whether the licence of the petitioner is renewed or not.

4. The learned Standing Counsel appearing for TASMAL, i.e., the second to fourth respondents, would submit that in view of the Model Code of Conduct and the impending general elections, the licence holders are not being permitted to lift the stock.

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



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6. As rightly contended by the learned counsel for the petitioner, so long as the FL2 licence stands valid and the renewal is also duly made and there are no other concerns of law and order, the lawful right of the petitioner to lift the stock cannot be curtailed. At the same time, considering the practical difficulty that arises during the elections, appropriate orders enabling the petitioner to lift the quota can be passed forthwith and the actual release of the stock alone can be deferred till the date of polling, i.e., 23.04.2026 and even on the very next day, the petitioner can be permitted to lift the stock.

7. This Writ Petition is accordingly allowed on the following terms:

- i. The due orders shall be passed by the second to fourth respondents, permitting the petitioner to lift the permitted quantity of stock and also allotting such stock.
- ii. The petitioner will be entitled to physically lift the stock on or after 24.04.2026.



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iii. Needless to mention that the same shall be subject to the respondents ensuring that the FL2 licence is valid and that the petitioner is entitled as on the date of lifting of the stock.

iv. No costs.

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Neutral Citation : Yes / No

To

- 1.The Commissioner,
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D.BHARATHA CHAKRAVARTHY, J.

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