



W.P.(MD)No.13520 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.13520 of 2026

and

W.M.P.(MD)No.10060 of 2026

N.Sureshkumar

... Petitioner

-VS-

1.The Managing Director,
TASMAC Limited,
Chennai -20.

2.The District Manager and Deputy Collector,
TASMAC Limited,
Kanyakumari District.

3.S.Anand Sabapathy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the impugned order in Na.Ka.No.A3/8845/2023 dated 26.03.2026 passed by the second respondent and quash the same as illegal.

For Petitioner

: Mr.A.Arun Ramnath

For R1

: Mr.M.Lingadurai
Special Government Pleader



WEB COPY



W.P.(MD)No.13520 of 2026

For R2

: Mr.S.Sivanesan
Standing Counsel

For R3

: Mr.S.Ramakrishnan

ORDER

The writ petition has been filed for issuance of a Writ of Certiorari to call for the records relating to the impugned order dated 26.03.2026, by which the licence granted to the petitioner to run a bar has been cancelled.

2. It is seen that the third respondent had earlier filed a writ petition in W.P. (MD)No.2885 of 2026, and by order dated 04.02.2026, this Court directed consideration of the representation submitted by the third respondent. Pursuant thereto, an enquiry was conducted by the respondents 1 and 2, and an inspection of the premises was also carried out. Upon such inspection, it was found that the petitioner was running the bar in a thatched structure with tin sheets, without proper enclosure, and in an open manner. On that basis, the licence came to be cancelled.

3. The learned counsel for the petitioner challenges the impugned order on the ground that, even assuming that certain deficiencies were noticed during



W.P.(MD)No.13520 of 2026

inspection, a show cause notice ought to have been issued prior to cancellation of the licence, affording an opportunity to the petitioner to comply with the conditions. It is further contended that the action has been initiated only on account of a sophisticated club having come into existence within two door numbers of the petitioner's premises.

4. Per contra, the learned Standing Counsel appearing for the second respondent would submit that, pursuant to the direction issued by this Court, a detailed enquiry was conducted after affording opportunity to both the petitioner and the third respondent, and therefore, it cannot be contended that the principles of natural justice have been violated. It is also submitted that, even earlier, the petitioner had been called upon to comply with the licence conditions, which was not adhered to.

5. The learned counsel appearing for the third respondent would submit that the structure in question is entirely a thatched construction and is wholly unsuitable for running a bar, and that the same causes nuisance to the public.



W.P.(MD)No.13520 of 2026

WEB COPY

6. I have considered the rival submissions made on either side and perused the materials available on record.

7. It is no doubt true that violation of licence conditions would entail cancellation of the licence. However, even in such circumstances, when, during the course of an enquiry conducted pursuant to the direction of this Court, certain violations are noticed, the minimum requirement expected of the authorities is to issue a show cause notice setting out the alleged violations and to afford an opportunity to the petitioner to submit an explanation, before passing any adverse order.

8. A perusal of the impugned order indicates that, based on inspections, it was concluded that the petitioner had failed to repair and maintain the premises in accordance with the applicable rules, despite earlier directions, and on that basis, the licence was cancelled. Though such conduct may justify cancellation, this Court is of the view that the petitioner ought to have been put on notice and heard before passing the impugned order.



W.P.(MD)No.13520 of 2026

9. Accordingly, the impugned order dated 26.03.2026 is set aside. It is open to the respondents 1 and 2 to issue a fresh show cause notice to the petitioner, marking a copy to the third respondent. The petitioner shall be afforded an opportunity to submit objections, and thereafter, orders shall be passed afresh in accordance with law. The third respondent shall also be entitled to participate in the proceedings and put forth his submissions.

10. The writ petition is allowed accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

29.04.2026

NCC : No
smn2

To:-

- 1.The Managing Director,
TASMAC Limited,
Chennai -20.
- 2.The District Manager and Deputy Collector,
TASMAC Limited,
Kanyakumari District.



WEB COPY



W.P.(MD)No.13520 of 2026

D.BHARATHA CHAKRAVARTHY, J.

smn2

W.P.(MD)No.13520 of 2026

29.04.2026

Page 6 of 6