



W.P.(MD)No.14241 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.01.2026**

CORAM

THE HONOURABLE **Mr. JUSTICE KRISHNAN RAMASAMY**

W.P.(MD)No.14241 of 2025 &
W.M.P(MD)No.10467 of 2025

Kudanthai Kings Club,
Rep. by its President S.Senthilnathan,
S/o.Saminathan,
Old Address:
No.19/449, Ayekulam Road,
Kumbakonam,
Thanjavur District.
New Address:
No.8B/1241, Perumandi Road,
Perumandi, Kumbakonam,
Thanjavur District - 612 001.

...Petitioner

vs.

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

...Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the proceedings in K.Dis.No.P&E 2(4)/234/2024, dated 02.04.2025 and quash the same as illegal and consequently direct the respondent to renew the FL2 Liquor Licence of the petitioner club.

For Petitioner : Mr.S.Silambanan, senior counsel
for Mr.T.Bashyam



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For Respondent : Mr.S.Jayapriya,
Government Advocate

ORDER

This Writ Petition has been filed challenging the impugned order of the respondent dated 02.04.2025, whereby, the respondent refused to issue FL2 liquor licence to the petitioner club.

2. The learned senior counsel appearing for the petitioner would submit that, in the present case, the petitioner was running a recreation club at No.19/449, Ayekulam Road, Kumbakonam, Thanjavur District, after getting proper FL2 licence from the respondent. The lease period for the club ended in the year 2022. While so, an application for renewal of FL2 licence for the year 2023-2024 was made and licence was also renewed by the respondent. However, the petitioner's application dated 24.03.2025 for renewal of FL2 licence for the year 2025-26 was rejected by citing the reason that rental agreement was not enclosed along with the application. According to the learned senior counsel, the petitioner club has identified new premises at T.S.No.1241, Perumandi Main Road, Perumandi Taluk, Kumbakonam and started construction works for setting up a club along with bar. However, rental agreement was entered subsequently, only on 06.11.2025. Thus according to him, possession was handed over to the



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petitioner even prior to the rental agreement and on that strength only, the petitioner has made the application for renewal of FL2 licence for the year 2025-26. He would submit that non-production of rental agreement cannot be the sole reason for rejection of licence. In support of his contention, he relied upon paragraph 21 of the Judgment of this Court in W.P.No.34060 of 2018, dated 30.04.2019, which reads as follows:-

"21. Moreover, I find some force in the submission of the petitioner to the effect that the change in location and the consequent elapse of time in identifying the new premises for the shop was the reason for the delay in seeking renewal of licence. Evidently, the shift was not voluntary and the petitioner cannot be blamed for the elapse of time, in the circumstances as I have noticed and narrated above."

3. By referring the above, the learned senior counsel would submit that the petitioner in the above case has not even identified the new premises for the shop. As far as the present petitioner is concerned, the new premises was already identified and construction works were also started. Thus, the present petitioner stands in a better position than the petitioner in the above cited case. Since the case of that petitioner was considered by this Court, the case of the present petitioner should also be considered. He therefore prayed for allowing this Writ Petition.



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shifting the club and was also carrying on construction works in the new premises, which shows the readiness and willingness of the petitioner to shift the club to the new premises.

7. To be noted, the petitioner has already started the process of shifting the club and was even carrying on construction works in the new premises, which is not possible without the consent of the new owner. Thus, the petitioner and the land owner already arrived at oral agreement between themselves, even as on the date of filing the application for renewal of FL2 licence, for the purpose of renting out the property and it took time only to reduce the same in the form of rental agreement, which fact was also informed to the authorities concerned. Such being the case, rejecting the petitioner's application on the sole ground that rental agreement was not enclosed is not proper. Therefore, this Court finds that there is serious lapse on the decision making process of the respondent. Under such circumstances, the impugned order of the respondent dated 02.04.2025 is set aside and the matter is remanded to the respondent for re-consideration. While re-considering the issue, the respondent is directed to take into consideration of the oral agreement between the new owner and the petitioner and the initiation of construction works in the new premises, even as on the date of filing the renewal application on 24.03.2025, which would show the



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readiness and willingness of the petitioner to rent the new premises and thus, pass appropriate orders for renewal of FL2 licence for the year 2025-26, within a period of two (2) weeks from the date of receipt of a copy of this order. It is needless to say that the petitioner and the new owner have entered into a written rental agreement on 06.11.2025 and the same is also produced before this Court.

8. In the result, this Writ Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

9. Post this matter under the caption 'for reporting compliance' on 18.02.2026.

19.01.2026

Speaking / Non-speaking order

Index : Yes/No

NCC : Yes/No

mbi

Note: Issue order copy on 20.01.2026

To

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



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KRISHNAN RAMASAMY, J.

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