



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.01.2026

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

WP CrI.(MD) NO. 1943 of 2025

Durairaj

Petitioner

Vs

1.The Commissioner,
Prohibition and excise department,
Chepauk, Chennai – 600005.

2.The District Collector,
Office of the District Collector,
Thanjavur District.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur District.

4.The Assistant Commissioner,
Prohibition and Excise Department,
Office of the District Collector,
Thanjavur District.

5.The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.

...Respondents

For Petitioner : Mr.K.P.S.Palanivel Rajan
Senior Counsel
For Mr.S.Ramakrishnan

For Respondent(s): Mr.P.Thambidurai,
Government Advocate for R1, R2 & R4
Mr.A.S.Abul Kalaam Azad,
Government Advocate (CrI.side) for R3 & R5



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the 3rd respondent pertaining to the impugned proceedings vide Na.Ka.No.C1/16591/2024 dated 27.05.2025, to quash the same and consequently, to direct the respondents to reconsider and grant FL-2 license to the petitioner.

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the 3rd respondent pertaining to the impugned proceedings vide Na.Ka.No.C1/16591/2024 dated 27.05.2025, to quash the same and consequently, to direct the respondents to reconsider and grant FL-2 license to the petitioner.

2. Through the impugned order the respondents have refused to grant FL-2 license. The reasons stated is that the same would affect the common people and law and order problem would arise.

3. The Learned Senior Counsel appearing for the petitioner submitted that the respondents have granted license to a TASMACH Shop adjacent to be place and relied on the approval letter granted to the TASMACH Shop, wherein it has been stated that no law and order problems would arise. However, it is not known how the law and order problem would arise, if the petitioner is granted FL-2 license and how the law and order problem would not arise, if approval is granted to the TASMACH Shop.

4. This Court is of the considered opinion that the impugned order is passed by



non application of mind. Therefore, the impugned order is set aside and respondents are directed to reconsider the issue within a period of 8 weeks from the date of receipt of a copy of this order.

5. With the above observations, this Writ Petition is allowed. There shall be no order as to costs.

28.01.2026

Tmg

To

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