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W.P.(MD)NO.26714 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.26714 of 2023

M.Sandeepkumar @ Balaji

... Petitioner

Vs.

1. The Special Tahsildar,
Match and fireworks Unit Inspection,
Sivakasi,
Virudhunagar District.

2. The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to unseal and unlock the petitioners premises, M/s.SRI KRISHNA AGENCIES at No.3/1372-G1, RSR Nagar, Vishvanatham Village, Sivakasi Taluk, Virudhunagar District by considering the license to possess and sell in R.Dis.No.(E5)3148/2014, dated 17.07.2014 issued by the District Revenue Officer, Virudhunagar District.

For Petitioner : Mr.M.Solaisamy

For R-1 : Mr.C.Satheesh,
Government Advocate

For R-2 : Mr.A.Albert James,
Government Advocate.

* * *



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ORDER

Heard both sides.

2. The petitioner is a commission agent. He had kept fire crackers of 10 boxes in the petition-mentioned godown premises which is not having license.

3. Crime No.503 of 2023 was registered on the file of the second respondent for the offences under the Indian Explosives Act 1884. The petitioner has to necessarily face the prosecution.

4. The petitioner gives an undertaking that he will not use the premises in question for storing fire crackers in future. This undertaking is recorded. The petitioner is restrained from using the premises for storage of fire crackers unless he obtains license.

5. No purpose will be served in keeping the premises sealed. I therefore direct the respondents to desal the



premises. The petitioner can remove the articles in question for onward sale or disposal. The petitioner shall sign all the relevant documents such as inventory etc. The petitioner undertakes to pay a sum of Rs.2,000/-(Rupees Two Thousand only) to the credit of bank account of Government Children Home (Government Orphanage), Dr.Thangaraj Colony, K.K.Nagar, Madurai – 625 020 (Account No.37487255860) IFSC Code – SBIN0007922). Upon filing the proof of payment, the premises in question shall be desealed.

6. The police shall prepare magazar and the petitioner shall extend his cooperation by affixing signature in all the relevant forms. This writ petition stands disposed of. No costs.

06.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

Note : Issue order copy on 06.11.2023.



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G.R.SWAMINATHAN,J.

PMU

To:

1. The Special Tahsildar,
Match and fireworks Unit Inspection,
Sivakasi,
Virudhunagar District.
2. The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.

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