



W.P.(MD) No.21664 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.21664 of 2026
and
W.M.P.(MD) No.16123 of 2026**

M/S.Lakshmi Sri Fireworks Factory,
rep through its partner,
G.Pandiaraj

... Petitioner

/vs./

1.The Chief Inspector/
Deputy Director of Industrial Safety and Health's
Chennai.

2.The Joint Director,
Industrial Safety and Health,
Coimbatore.

3.The Assistant Director-I,
Industrial Safety and Health,
Virudhunagar.

4.The Inspector/Spl Tahsildar for Fireworks,
Sivakasi,
Virudhunagar.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to open the factory of the petitioner in S.No.523, 524/2, 525/3 and 526/1, 2 in Kariseri road.



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For Petitioner : Ms.P.Malini

For Respondents : Mr.S.Venkatesh
counsel for the State of Tamil Nadu

ORDER

Mr.S.Venkatesh, learned counsel for the State of Tamil Nadu, takes notice for the respondents.

2.This writ petition is disposed of at the time of admission, after hearing the learned counsel appearing for the petitioner and the learned counsel for the State of Tamil Nadu appearing for the respondents.

3.This writ petition has been filed for a Mandamus to direct the respondents to open the factory of the petitioner in S.No.523, 524/2, 525/3 and 526/1, 2 in Kariseri Road.

4.The petitioner was issued with a notice by the third respondent under Section 40(2) of the Factories Act, 1948 on 01.06.2026. The petitioner was found fault with 9 counts, which the petitioner was required to rectify. As per Section 40(2) of the Factories Act, 1948, the petitioner as an occupier of the



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factory is not entitled to use the factory, until the defects pointed out in the said notice have been properly repaired or altered.

5.However, instead of responding to the said notice, the petitioner directly preferred an appeal under Section 107 of the Factories Act, 1948, before the first respondent. The said appeal is reportedly pending before the first respondent as on date. Meanwhile, a surprise inspection was conducted by the respondents 2 and 3 in the presence of the fourth respondent as well as the officials from the Revenue Department.

6.It was also found that the petitioner was transporting finished products without reporting compliance to the notice under Section 40(2) of the Factories Act, 1948. Under these circumstances, the petitioner's firecracker unit has been kept under lock and seal by the Revenue Officials.

7.Considering the fact that the petitioner's appeal dated 18.06.2026, is pending before the first respondent, I direct the first respondent to pass appropriate orders on the same within a period of 15 days from the date of receipt of a copy of this order. If required, the first respondent may get suitable



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information from the Revenue Officials, who had sealed the firecracker unit of the petitioner on 20.06.2026 and pass appropriate orders as to whether the petitioner has rectified all the defects that were pointed out in the notice issued under Section 40(2) dated 01.06.2026.

8.The Writ Petition stands disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
Internet : Yes / No
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31.07.2026

Note : Issue order copy on 31.07.2026

To

1.The Chief Inspector/
Deputy Director of Industrial Safety and Health's
Chennai.

2.The Joint Director,
Industrial Safety and Health,
Coimbatore.

3.The Assistant Director-I,
Industrial Safety and Health,
Virudhunagar.

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4.The Inspector/Spl Tahsildar for Fireworks,
Sivakasi,
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C.SARAVANAN, J.

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