

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 20.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.11353 of 2015

and

M.P.No.1 of 2015

N.Arikrishnan

... Petitioner

Versus

1. The Chief Secretary,
Government of Puducherry,
Puducherry - 605 001.
2. The Collector - cum District Magistrate,
Government of Puducherry,
Puducherry - 605 001.
3. The Director General of Police,
Police Department,
Government of Puducherry,
Puducherry - 605 001.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the 1st respondent to dispose of the appeal dated 05.11.2014 on the file of the 1st respondent against the Order No.1357/DM/RO/D1/2009-12 dated 10.10.2014 by the 2nd respondent.

For Petitioner : Mr.S.S.Swaminathan
For Respondents : Mr.A.Tamilvanan (for R1 to R3)
Government Advocate (Pondy)

O R D E R

By consent, the main writ petition is taken up for final disposal.

2. The petitioner claims that he is a licence holder for manufacture of Fireworks, possession and sale of explosives upto 12.5kgs and the said licence was issued on 21.05.1983 and valid upto 31.03.1985 and periodically renewed upto to 31.03.2012 and before the expiry, the petitioner submitted an application for renewal on 30.03.2012 and it was refused to be renewed vide

impugned order dated 10.10.2014 passed by the 2nd respondent and aggrieved by the same, the petitioner preferred a statutory appeal before the 1st respondent and pending disposal of the appeal, sought for stay. In this regard, he submitted representations dated 27.02.2015 and 16.03.2015 and since no orders came to be passed neither in the stay application nor in the main appeal itself, came forward to file this writ petition.

3. Heard the submissions of Mr.S.S.Swaminathan, learned counsel appearing for the petitioner and Mr.A.Tamilvannan, learned Government Advocate (Pondy), who accepts notice for the respondents.

4. This Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the appeal memorandum, directs the 1st respondent to consider and dispose of the appeal memorandum dated 05.11.2014, submitted by the petitioner on merits and in accordance with law, as expeditiously as possible and not later than eight weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner. It is also open to the petitioner to press for application for stay, pending the disposal of the appeal.

5. The writ petition is disposed of, accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

srs
To

Sub Assistant Registrar

1. The Chief Secretary,
Government of Puducherry, Puducherry - 605 001.
2. The Collector - cum District Magistrate,
Government of Puducherry, Puducherry - 605 001.
3. The Director General of Police,
Police Department,
Government of Puducherry, Puducherry - 605 001.

+2cc's to Mr.M.Shahjahan, Advocate, S.R.No.21221
+1cc to Sr.Advocate Senior GP - Cum- Sr. PP for Pondicherry,
S.R.No. 21718

W.P.No.11353 of 2015

TM(CO)
CA(28/04/2015)