

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P. No.36213 of 2015

V.Ramalingam

... Petitioner

vs.

1. Appellate Authority/Principal Secretary cum
Commissioner of Revenue Administration,
Chennai - 5.

2. The District Collector,
Ariyalur District,
Ariyalur.

3. The Superintendent of Police,
Ariyalur District,
Ariyalur.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a writ of mandamus, directing the first respondent to pass orders on or before 06.11.2015 on the application for temporary license by way of interim direction in the application filed by the petitioner in Appeal relating to N.K.No.R.A.5(1)/50601/2014 dated 28.11.2014 for setting up of Retail Shop for selling Crackers at Door No.105, Market Street, Ariyalur, from 06.11.2015 till 15.11.2015 and to communicate the same to the 3rd respondent.

For Petitioner : Mr.P.Rajavel

For Respondents: Mr.R.A.S.Senthilvel,
Additional Government Pleader

ORDER

From the records, it is seen that the petitioner was originally given licence on 29.06.2009 and after finding that the petitioner has not taken adequate steps, it was cancelled by proceedings dated 26.09.2014. As against the same, the petitioner filed an Appeal before the first respondent on 28.11.2014. The said appeal is still pending consideration. In the pending appeal, the petitioner sought for temporary licence. As the same has not been considered, the present writ petition has been filed by the petitioner.

2. What the petitioner seeks is only a temporary licence. Thus, a parameters which require for permanent licence, per se, are not required to be satisfied for temporary licence. The object of selling fire crackers is to provide them for Diwali festival.

3. Considering the facts and circumstances of the case, the writ petition stands allowed by directing the second respondent to give a temporary licence to the petitioner for a period of one week, starting from 08.11.2015 to 15.11.2015, so as to enable the petitioner to sell fire crackers during the Diwali festival, subject to the other conditions that are to be imposed. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Appellate Authority/Principal Secretary cum
Commissioner of Revenue Administration,
Chennai - 5.
2. The District Collector,
Ariyalur District,
Ariyalur.
3. The Superintendent of Police,
Ariyalur District,
Ariyalur.

+1 cc to Government Pleader High court Madras
sr61430
+1 cc to Mr.P.Rajavel Advocate sr.61076

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aa06/11/2015