



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.10.2015

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD) .No.19306 of 2015

N.P.Subramanian

..Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Superintendent of Police,
Theni District,
Theni.

3.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

4.The Tahsildar,
Thirupattur Taluk,
Thirupattur,
Sivagangai District.

5.The Deputy Superintendent of Police,
Thirupattur,
Thirupattur Taluk,
Sivagangai District.

..Respondents

This Writ Petition has been filed under Article 226 of Constitution of India praying for a Writ of Mandamus, directing the Respondents herein to consider and pass order on petitioner's representation dated 16.10.2015 within a stipulated time.

For petitioner : Mr.S.Kameswaran

For Respondents : Mr.S.Kumar

Addl. Government Pleader

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus, directing the Respondents herein to consider and pass order on petitioner's representation dated 16.10.2015 within a stipulated time.

2. Mr.S.Kumar, learned Additional Government Pleader takes notice for the respondents.

3. By consent, this Writ Petition itself is taken up for final disposal.

4. In the affidavit filed in support of the Writ Petition, it has been averred that the third respondent granted license Vide No.10/2003 to the petitioner for selling Fire Crackers in retail shop at 10-6-60 Big Street, Thirupattur, Thirupattur Taluk, Sivagangai District in the year 2003. The above license has been extended from time to time. The same was also renewed till 31.03.2016 and the petitioner has also paid



the renewal fee to the concerned authorities. Thereafter, the third respondent issued a Renewal Certificate and permitted the petitioner to sell crackers in a retail shop at 10-6-60 Big Bazaar Street, Thiruppattur, Thiruppattur Taluk, Sivagangai District up to 31.03.2015. The third respondent issued license to sell crackers as retail shop at Thirupattur to the petitioner and one C.Pitchai Mohamed and P.Jamal Mohamed. During the Diwali Festival some unauthorized persons without any valid license used to sell the crackers on retail basis on the Platform near Gandhi Statue, Big Bazaar Street, Thiruppattur. Because of that, the license holders would be severely affected. Hence, the petitioner has made a representation to the respondents on 16.10.2015 requesting them to prevent the non-license holder from selling Crackers and to take action against them. Since the same was not considered till date, the petitioner has come forward with this Writ petition for the above stated relief.

5. Considering the facts and circumstances of the case, without going into the merits of the case, this Court directs the first respondent to consider the petitioner's representation dated 16.10.2015 and pass appropriate orders on the same on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order by affording an opportunity of hearing to all the necessary parties. It is made clear that this Court is not expressing any opinion on the merits of the claim made by the petitioner.

6. With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector, Sivagangai District, Sivagangai.
- 2.The Superintendent of Police, Theni District, Theni.
- 3.The Revenue Divisional Officer, Devakottai, Sivagangai District.
- 4.The Tahsildar, Thirupattur Taluk, Thiruppattur, Sivagangai District.
- 5.The Deputy Superintendent of Police, Thiruppattur, Thiruppattur Taluk, Sivagangai District.

+1cc to M/s.S.Kameshwaran, Advocate in SR.No.62622

+1CC to the Special Government Pleader, in SR.No.62748

W.P(MD).No.19306 of 2015
27.10.2015

am

PBK/GSV-PM/SAR-II 03/11/2015 ::2P-8C::