



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition(MD)No.23181 of 2015
and M.P(MD)No.1 of 2015

E.Marimuthu

... Petitioner

Vs.

1.The District Magistrate cum
District Revenue Officer,
O/o.The District Revenue Officer,
Dindigul.

2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Dindigul.

3.The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Pa.Mu.31881/2015/C4 dated 01.12.2015 on the file of the first respondent and quash the same as illegal and consequently for a direction, directing the first respondent to issue license to the petitioner for selling fire crackers within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.M.Murugan
Government Advocate

ORDER

Earlier when the petitioner approached this Court and challenged the order passed by the very same respondents rejecting his request for grant of license on the ground that the same came to be passed in violation of principles of natural justice, this Court set aside the said order and remitted the matter back to the very same authority for hearing the petitioner and passing a fresh order. Accordingly, the petitioner was heard and thereafter, the present impugned order is passed.

2. As against the order challenged in this Writ Petition, a right of appeal lies before the Principal Secretary and Commissioner of Revenue Administration, Chennai. The said fact is also evident from the reading of the impugned order itself. Therefore, the petitioner has to exhaust his remedy for filing an appeal before the competent authority as stated supra.



3. Accordingly, I find that the present Writ Petition is not maintainable only on the ground of availability of alternative remedy. Consequently, the Writ Petition is dismissed without going into the merits of the matter. However, liberty is given to the petitioner to file an appeal before the appellate authority within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(Co)

/True Copy/

Sub Assistant Registrar.

To

- 1.The District Magistrate cum
District Revenue Officer,
O/o.The District Revenue Officer,
Dindigul.
- 2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Dindigul.
- 3.The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul.

+1CC to Mr.T.Lajapathi Roy, Advocate, SR.No.558
+1CC to The Special Government Pleader SR.No. 682

W.P(MD)No.23181 of 2015
and M.P(MD)No.1 of 2015
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AM/18.01.2016/AAL.MPA/2P/6C