



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.05.2016

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P. (MD) Nos. 9115, 9116 & 9117 of 2016

and

WMP. (MD) Nos. 7260, 7261 & 7262 of 2016

M.G.Pandia Rajen

.. Petitioner
in W.P. (MD) No. 9115/2016

A.L.Raguram

.. Petitioner
in W.P. (MD) No. 9116/2016

K.P.M.M.Karunanithi

.. Petitioner
in W.P. (MD) No. 9117/2016

Vs

1. The Commissioner of Police,
Madurai City @ Madurai.2. The District Officer,
Fire & Rescue Services,
Madurai District,
Madurai-20... Respondents
in all the writ petitions

COMMON PRAYER: Petitions filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records from the second respondent in his proceedings in Na.Ka.No.3976/2016; Na.Ka.No.3977/2016 and Na.Ka.No.3978/2016, dated 18.04.2016 respectively, quash the same and consequently to direct first and second respondents to renew the license to the petitioners' cracker retail shop for the period 01.04.2016 to 31.03.2017 within the period stipulated by this Court.

For Petitioners
in all the writ petitions

... Mr.N.Sathish Babu

For Respondents
in all the writ petitions... Mr.B.Pugalenth
Spl. Govt. Pleader

**COMMON ORDER**

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

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2. Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondents.

3. The petitioners have challenged the proceedings issued by the second respondent rejecting the petitioners' application for grant of No Objection Certificate on two grounds, which are as follows:

- 1) பட்டாசு விற்பனை செய்யும் கடையில் அவசரவழி இல்லை.
- 2) கடையினுள் உள்ள மாடிப்படிக்கட்டு முடப்பட வேண்டும்.

4. The only ground on which the impugned order is challenged, by contending that on the occasion of previous renewal, the authorities have granted No Objection Certificate.

5. The learned Special Government Pleader pointed out that on previous occasion, the petitioners gave affidavits stating that they will rectify the defects and as such, the authorities have taken a lenient view. However, as the petitioners have not rectified the defects, the authorities have now rightly rejected the application for No Objection Certificate. Since the petitioners are running the crackers business, they are bound to comply with all the safety requirements and there can be no lenient for the same. But the petitioners herein have failed to comply with the requirements.

6. In view of the above, the writ petition is dismissed. However, this will not be a prohibition for the petitioners to approach the authorities after complying and rectifying the defects pointed out by the second respondent in the impugned order. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar/
Vacation Officer

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Sub Assistant Registrar

To

<https://hcservices.courts.gov.in/hcservices>
The Commissioner of Police,
Madurai City @ Madurai.



2. The District Officer,
Fire & Rescue Services,
Madurai District, Madurai-20.

+3cc to M/s.N.Sathish Babu, Advocate, Sr.No.26042, 26043, 26044

+1cc to the Special Government Pleader, Sr.No.26020

rj2/am

JM/JGB-SS/09.05.2016/3P-7C

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