

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.26330 of 2017
& W.M.P.No.27986 of 2017

A.Siddiq

.. Petitioner

Versus

1. The Divisional Fire Officer,
Fire and Rescue Department,
North Chennai Circle,
Chennai - 600 104.

2. The Joint Commissioner of Police,
North Zone, Greater Chennai,
Egmore, Chennai.

3. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai - 600 003.

.. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 03.10.2017 for renewing the licence to sell the crackers for the petitioner shop situated at No.186, NSC Bose Road, Chennai - 600 001.

For Petitioner : Mr.P.Chandrasekar

For RR1 & 2 : Mr.S.Diwakar
Special Government Pleader

For R3 : Mr.T.C.Gopalakrishnan

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O R D E R

The petitioner has come forward with this writ petition seeking for a direction to the respondents to consider the representation of the petitioner dated 03.10.2017 for renewing the licence to sell the crackers for the petitioner shop situated at No.186, NSC Bose Road, Chennai - 600 001.

2. It is the case of the petitioner that he is running a shop at Door No.186, NSC Bose Road, Chennai 600 001 in the name and style of "Prince Book House" and during the festival season of Deepavali, he has been permitted to carry on the business of selling crackers and his landlord has also given 'No Objection' to that effect. The petitioner had been granted licence for the trade of storing and selling cracker by the concerned Departments for the past 6 years and his licence had been renewed from time to time. During last year also, this Court by order dated 25.10.2016 in W.P.No.37115 of 2016, directed the respondent therein to consider the application of the petitioner in accordance with law, for renewing licence to sell the crackers. The petitioner has now made a representation dated 03.10.2017 to the respondents to consider his application for conducting cracker shop in the said address by stating that he has complied all the Rules and Regulations required by the Tamil Nadu Fire and Rescue Department for selling the crackers. Since the said representation was not considered, this writ petition is filed for the relief stated supra.

3. Heard both sides and perused the materials available on record.

4. Considering the facts and circumstances of the case, as the prayer in the Writ Petition is only in a limited scope, without going into the merits, this Court directs the first respondent to consider the petitioner's representation dated 03.10.2017, if it is otherwise in order, and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible, preferably before 13.10.2017.

5. With the above observation and direction, the Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

pvs

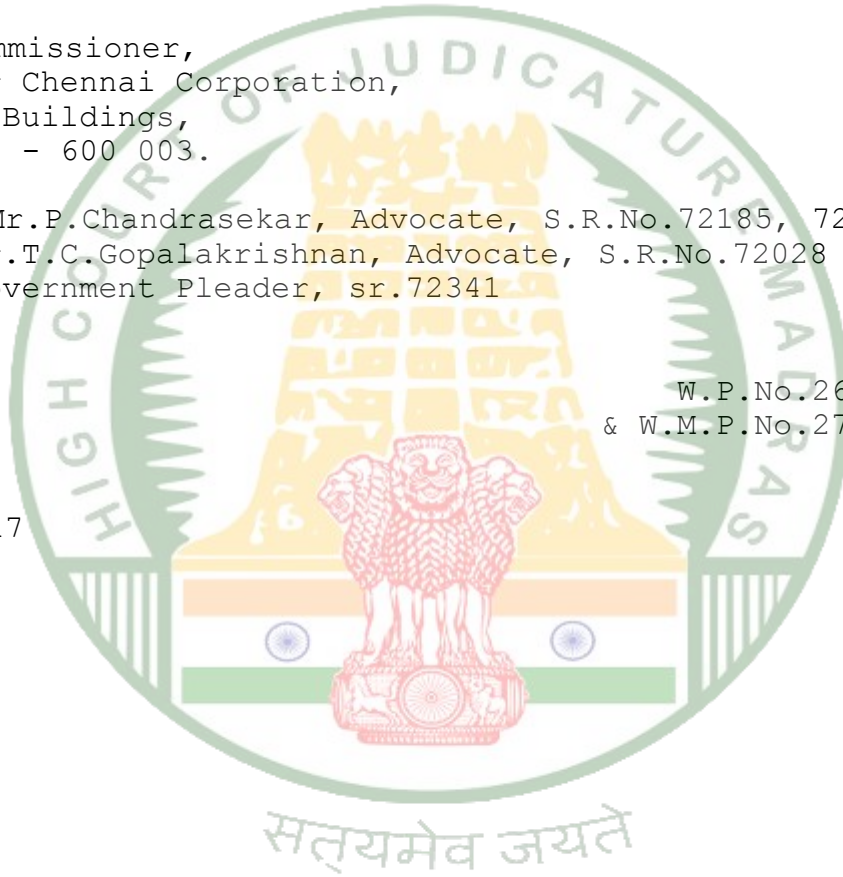
To

1. The Divisional Fire Officer,
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2. The Joint Commissioner of Police,
North Zone, Greater Chennai,
Egmore, Chennai.
3. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai - 600 003.

+3ccs to Mr.P.Chandrasekar, Advocate, S.R.No.72185, 72054,
+1cc to Mr.T.C.Gopalakrishnan, Advocate, S.R.No.72028
+1cc to Government Pleader, sr.72341

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MR(CO)
CS/10/10/17



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