

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:02.08.2017

Coram

THE HONOURABLE Mr. JUSTICE M.VENUGOPAL
AND
THE HONOURABLE Mr. JUSTICE P.D.AUDIKESAVALU

W.P.No.32559 of 2007 and
M.P.No.1 of 2007

M/s Jasmine Traders
rep. By Lincensee
T.S.Kaja Mohideen
No.5/30, Badrian Street,
Chennai - 600 001 .. Petitioner

Vs.

- 1.Joint Chief Controller of Explosives,
South Circle,
140, Rukmani Lakshmipathi Salai,
Egmore, Chennai - 8
2. Chief Controller of Explosives,
A Block 5th Floor, CGO Complex,
Seminary Hills, Nagpur - 440006 ..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus in calling for the records of the 1st Respondent in No.Ma.2700/E dated 30.07.2007 and quash the same and consequently direct the 1st respondent to renew the licence of the Petitioner in No.Ma.2700/E on the basis of first come first serve based on the seniority of the issue of licence year between the competing licensees.

For Petitioner : Mr.R.Sureshkumar
For Respondents : Mr.M.Elumalai
Government Advocate

O R D E R

[Order of the Court was made by M.VENUGOPAL, J.]

The Learned counsel for the Petitioner has made the following endorsement in the Writ Petition.

" The Petitioner may be pleased to withdraw the Writ Petition. Petitioner filed appeal which is still pending. Therefore in the present circumstances it is prayed before this Hon'ble Court may please to direct the 2nd respondent to dispose the Appeal dated 08.08.2007 within a period fixed by this Hon'ble Court and pass further orders as may be deem fit and proper in the circumstance of the case."

2. Recording the endorsement so made, the present Writ Petition is dismissed as withdrawn, granting liberty to the Petitioner to pursue his pending Appeal before the 2nd Respondent (questioning the Impugned Order of the 1st Respondent dated 30.07.2007) in the manner known to Law and in accordance with Law. In the event of Appeal (pending on the file of the 2nd Respondent) is not yet disposed of till date, then, the 2nd Respondent is directed to dispose of the pending Appeal within a period of six weeks from the date of receipt of copy of this order. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. Joint Chief Controller of Explosives,
South Circle,
140, Rukmani Lakshmipathi Salai,
Egmore, Chennai - 8

2. Chief Controller of Explosives,
A Block 5th Floor, CGO Complex,
Seminary Hills, Nagpur - 440006

+1cc to Mr.R.Sursh Kumar, Advocate SR.No.5534

WP.No.32550 of 2007
and M.P.No.1 of 2007

SDR 31.08.2017