



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.17270 of 2017

and

W.M.P (MD) Nos.13822 & 13823 of 2017

M.G.Pandiarajan

.. Petitioner

Vs.

1.The Additional Director General of Police,
Law and Order, Chennai-4.

2.The Commissioner of Police,
Madurai City, Madurai.

3.The District Officer,
Fire and Rescue Services,
Madurai District, Madurai.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to impugned order passed by the first respondent in his proceedings Rc.No.195292/A&R.2/2016, dated 17.06.2017, quash the same and consequently direct the first respondent to renew the petitioner's license to possess and sell manufactured fireworks in the premises bearing Door No.70, East Masi Street, Madurai-1.

For Petitioner : Mr.A.Sivasubramanian

For Respondents : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

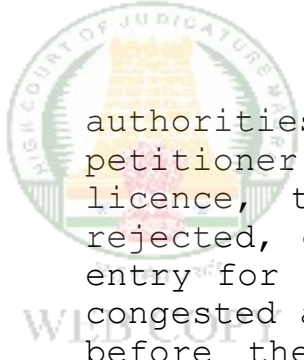
ORDER

This writ petition is filed seeking a writ of Certiorarified Mandamus to quash the impugned order, passed by the first respondent, in Rc.No.195292/A&R.2/2016, dated 17.06.2017, and also direct the first respondent to renew the petitioner's crackers shop licence.

2.Heard both sides.

<https://hcservices.ecourts.gov.in/hcservices/>

3.According to the petitioner, he has been given licence for possessing and selling fireworks at his shop by the



authorities in the previous years and on its expiry, the petitioner has submitted the application seeking renewal of licence, to the second respondent, however, the same has been rejected, on the ground that there is no separate exit as well as entry for the shop and the shop is situated in a busy commercial, congested and crowded area. Against which, he preferred an appeal before the first respondent and the first respondent has also rejected the same, without considering the rectification made by the petitioner. Therefore, the petitioner is before this Court, with the aforesaid prayer.

4. Now, the learned counsel appearing for the petitioner would submit that the deficiencies pointed out in the impugned order, have been already rectified and adequate proof had also been submitted to the second respondent and even before the appellate authority, adequate evidence had been filed.

5. The learned Additional Government Pleader, on the other hand, would submit that the petitioner's shop is situated in a busy commercial, congested and crowded area and that too, near Madurai Meenakshiamman Temple and if the petitioner produces proper evidence for rectification of deficiencies, pointed out in the impugned order, his renewal application would be considered, afresh.

6. Under such circumstances, to give a quietus, the petitioner is directed to place all the materials including proof for rectification of deficiencies, before the second respondent and on such filing, the second respondent is directed to consider the renewal application filed by the petitioner, dated 08.02.2016, afresh and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, on or before 20.01.2018. It is directed that the interim order, dated 09.10.2017, with regard to temporary licence, is extended, till then.

7. The writ petition is disposed of as above. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(T&P)

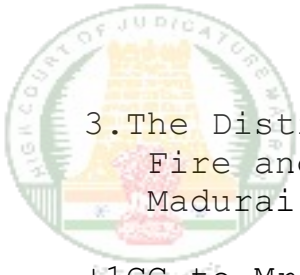
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Sub Assistant Registrar

To

1. The Additional Director General of Police,
Law and Order, Chennai-4.

2. The Commissioner of Police
Madurai City, Madurai.



3.The District Officer
Fire and Rescue Services,
Madurai District, Madurai.

+1CC to Mr.A.Sivasubramanian, Advocate, SR.No. 92066

+1CC to the Special Government Pleader SR.No.92231

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ORDER MADE IN
W.P (MD) No.17270 of 2017
and
W.M.P (MD) Nos.13822 & 13823 of 2017

smn

AM/JC/SAR 4/28.12.2017/3P/6C