



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.18700 of 2017

and

WMP(MD)No.15081 of 2017

S.Mani

... Petitioner

Vs.

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

2.The Inspector of Police,
Anna Nagar Police Station,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 1st respondent to issue renewal of permanent crackers shop licence for the period from 01.04.2017 to 31.03.2018 for the shop situated at Door No.4/289, Sourastrapuram, Vandiyur, Madurai-20, based on the petitioner's application, dated 20.02.2017.

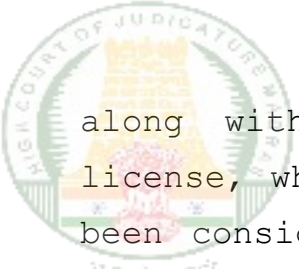
For Petitioner : Mr.D.Sadiq Raja
For Respondents : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the first respondent to renew the petitioner's crackers shop license, based on his renewal application, dated 20.02.2017.

2.Heard both sides.

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 renewal application, dated 20.02.2017, to the first respondent,



along with required fee, seeking to renew his cracker's shop license, which was expired on 31.03.2017, however, the same has not been considered so far. Therefore, the petitioner is before this Court.

4. In the counter affidavit filed by the first respondent, it is, among other things, stated that after conducting inspection in the petitioner's premises, a show cause notice, dated 05.10.2017, was issued to him, pointing out certain deficiencies and the petitioner has not offered any explanation, till now.

5. The learned counsel appearing for the petitioner, on the other hand, submits that the deficiencies pointed out in the show cause notice had already been rectified and the petitioner only requires time to submit explanation to the show cause notice.

6. Under such circumstances, the petitioner is directed to submit his explanation to the show cause notice, dated 05.10.2017, issued by the first respondent, within a period of one week from the date of receipt of a copy of this order and on such filing, the first respondent is directed to conduct an inspection in the petitioner's premises and pass appropriate orders, on his renewal application, dated 20.02.2017, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner so as to produce the required certificates obtained from the authorities concerned, on or before 20.01.2018. It is directed that the interim order, dated 12.10.2017, with regard to temporary licence, is extended, till then.

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

Sd/-
Assistant Registrar (RTI)

/True Copy/



To

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

2.The Inspector of Police,
Anna Nagar Police Station,
Madurai.

+1cc to M/S.D.SADIQ RAJA, Advocate SR.No.92357.
+1cc to Special Government Pleader in SR.No.92224.

ORDER MADE IN
W.P (MD) No.18700 of 2017
and
WMP (MD) No.15081 of 2017
11.12.2017

smn

SDS/SKN:RSK/SAR 4/08.01.2018/3P/5C