



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **11.12.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WEB COPY

W.P (MD) No.19128 of 2017

and

W.M.P (MD) No.15515 of 2017

M.Thiruppathy

.. Petitioner

Vs.

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

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

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to dispose of the appeal petition, dated 22.02.2017, in light of the rectification made by the petitioner as per the provisions of the Explosives Act and Rules and thereby renew the petitioner's license to possess and sell manufactured fireworks in the premises bearing Old Door No.350, New No.409, Nethaji Street, Jaihindpuram, Madurai-625 011.

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 Mandamus to direct the first respondent to dispose of the appeal petition, dated 22.02.2017, filed by the petitioner, against the rejection order of renewal application for crackers shop license and also to renew his cracker's shop licence.

2.Heard both sides.

3.According to the petitioner, his renewal application, dated 26.02.2016, for the licence for possession and sale of fireworks, was rejected by the second respondent stating some deficiencies in the premises, vide proceedings, dated 28.10.2016, against which, he filed an appeal, dated 22.02.2017, before the first respondent and the same is pending till date



4.The learned counsel for the petitioner would submit that the deficiencies pointed out by the second respondent had already been rectified and it would be suffice, if the appeal filed by the petitioner, dated 22.02.2017, is directed to be disposed of by the first respondent, as per law.

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5.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the appeal filed by the petitioner, dated 22.02.2017, and pass appropriate orders, if not disposed of earlier, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Additional Director General of Police,
Law and Order, Chennai-4.
2. The Commissioner of Police,
Madurai City, Madurai.

+1cc to Mr.A.Sivasubramanian, Advocate Sr.No.92067

SMN

VB/GT/SAR4/04/01/2018/2P/4C

ORDER MADE IN
W.P(MD)No.19128 of 2017
and
W.M.P(MD)No.15515 of 2017
11.12.2017