



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.19158 of 2017

and

W.M.P (MD) No.15551 of 2017

S.Palaniappan

.. Petitioner

Vs.

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

2.The Assistant Commissioner of Police,
(Law and Order), Palayamkottai,
Tirunelveli Town.

3.The Assistant Commissioner of Police,
Intelligence Section, Tirunelveli.

.. 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 renew the petitioner's crackers license for storing and selling crackers at No.319, West Car Street, Tirunelveli Town, Tirunelveli-627 006.

For Petitioner : Mr.R.Subramanian

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 renew the petitioner's crackers shop license for storing and selling crackers at No.319, West Car Street, Tirunelveli Town, Tirunelveli-627 006.

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 application seeking renewal of licence, however, the same has not been considered so far. Therefore, the petitioner is before this Court.

4.The learned Additional Government Pleader appearing for the respondents would submit that subsequent to the filing of the writ petition, the renewal application came to be rejected on the ground that there are no separate exist for the shop.



5.The learned counsel appearing for the petitioner, on the other hand, submitted that the deficiencies had been rectified and now there is a provision for entry and therefore his case may be considered, but, the authorities have not inspected the shop so far, despite repeated representations.

6.Under such circumstances, the petitioner is directed to resubmit his renewal application to the first respondent, within a period of one week from the date of receipt of a copy of this order and on such submission, the first respondent is directed to consider the same and pass appropriate orders 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. Inspection of the shop also be completed in the meanwhile. 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(C.O)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Commissioner of Police,
Tirunelveli City, Tirunelveli.
- 2.The Assistant Commissioner of Police,
(Law and Order), Palayamkottai,
Tirunelveli Town.
- 3.The Assistant Commissioner of Police,
Intelligence Section, Tirunelveli.

+One cc to Mr.R.Subramanian, Advocate, SR.No.92263

smn

RL/5C/2P/KK/SAR1/11/1/2018

ORDER MADE IN
W.P (MD) No.19158 of 2017
and
W.M.P (MD) No.15551 of 2017