



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.19470 of 2017

and

W.M.P (MD) Nos.15771 and 15772 of 2017

K.N.Mohamed Musthafa

... Petitioner

Vs.

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Sub Collector,
Devakottai, Sivagangai District.

3.The Station Officer,
Fire and Rescue Service Department,
Devakottai, Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus to call for the records relating to the Impugned Order in Mu.Mu.No.(A1)1795-2017 dated 11.10.2017 passed by the second respondent and quash the same and consequently direct the second respondent to renew the license which was issued in License No.5/1995 dated 20.10.1995 at Door.169/407, Tiruppattur Road, Devakottai, Sivagangai District for the period from 01.04.2017 to 31.03.2018 to the Petitioner.

For Petitioner : Mr.P.Thilakkumar

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 second respondent, in Mu.Mu.No.(A1)1795-2017, dated 11.10.2017, and also direct the second respondent to renew the petitioner's crackers shop license.

2.Heard both sides.

3.According to the petitioner, he has been given licence for ~~selling fireworks~~ ~~crackers~~ 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



been rejected, on the ground that there is no proper exit for the shop. But, an emergency exit is available in the premises. Therefore, the petitioner is before this Court, with the aforesaid prayer.

4. The learned counsel appearing for the petitioner would submit that subsequent to passing of the impugned order, the deficiency pointed out therein, has been rectified and the petitioner's crackers shop is having all the required parameters. But, the authorities have not inspected the shop so far, despite repeated representations.

5. Under such circumstances, the second respondent is directed to consider the renewal application filed by the petitioner, dated 27.02.2017, afresh, after conducting a proper inspection by the competent authority 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. It is directed that the interim order, dated 23.11.2017, with regard to temporary licence, is extended, till then.

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

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District, Sivagangai.
2. The Sub Collector,
Devakottai, Sivagangai District.
3. The Station Officer,
Fire and Rescue Service Department,
Devakottai, Sivagangai District.

+1cc to M/S.P.Thilakkumar, Advocate SR.No. 92376
+1cc to Special Government Pleader, SR.No. 92232

ORDER MADE IN
W.P (MD) No.19470 of 2017
11.12.2017