

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Twelfth day of October Two Thousand Eighteen

PRESENT

THE HON'BLE MR.JUSTICE S.MANIKUMAR

AND

THE HON'BLE MR JUSTICE SUBRAMONIUM PRASAD

WP No.27051 of 2018

AND WMP.NO.31461 OF 2018

M.MUNIYAN

[PETITIONER IN BOTH THE PETITIONS]

Vs

1 TAMIL NADU TOURISM DEVELOPMENT CORPORATION LIMITED REP.BY ITS MANAGING DIRECTOR, NO.2, WALLAJAH ROAD, CHENNAI 600 002.

2 THE JOINT CHIEF CONTROLLER OF EXPLOSIVES, EXPLOSIVES DEPARTMENT, A AND D-WING, BLOCK 1-8, 2ND FLOOR, SHASTHRI BHAWAN, HADDOWS ROAD, NUNGAMBAKKAM, CHENNAI 600 008.

3 THE DIRECTOR FIRE SERVICE TAMIL NADU, EGMORE, CHENNAI 600 008.

4 THE COMMISSIONER OF POLICE GREATER CHENNAI CITY, VEPERY, CHENNAI 600 008.

5 THE COMMISSIONER CHENNAI CORPORATION, RIPPON BUILDINGS, CHENNAI 600 003.

6 THE FAIR MANAGER THE TAMILNADU TOURISM DEVELOPMENT CORPORATION LTD., FAIR ADMINISTRATIVE OFFICE, ISLAND GROUNDS, OPP.TO WAR MEMORIAL, CHENNAI 600 009.

Writ petitions under article 226 of the Constitutions of India praying that in these circumstances stated therein and in the respective affidavits filed their with the High Court will pleased

(i) issue a writ of mandamus or any other appropriate order or direction in the nature of the writ, directing the respondents to follow the guidelines and norms as fixed in the Rules and Regulations of the Explosive Rules, 2008 and also the directions given by the Honorable Court of Madras in its order dated 07.09.2018 thereby ensure the safety of the public and to grant such further or other orders or other reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case and in WP No.27051 of 2018 and;

(ii) Interim Injunction restraining the 1st and 6th respondents from in any manner proceeding further in allocating/constructing/granting license for shops for sale of crackers and maintenance of car parking on war memorial side of the Island ground, Chennai 600 009 for 20 days from 19.10.2018 to 07.11.2018, as per the proposed layout plan enclosed in the Tender document Ref No 40/FS/2018 dated 18.08.2018 (in AND WMP.NO.31461 OF 2018) pending disposal in WP No.27051 of 2018 respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.M.VIJAY ANAND, Advocate for the petitioner in both the petitions and of MR.BALA RAMESH, Special Government Pleader and of MR.K.SOUNDARARAJAN, SENIOR COUNSEL FOR CHENNAI CORPORATION 5th Respondents in both the petitions the court made the following order:-

[Order of the Court was made by **S.MANIKUMAR, J.**]

Petitioner has sought for a writ of mandamus, directing the respondents to follow the guidelines and norms as fixed in the Rules and Regulations of the Explosive Rules, 2008 and also the directions given by the Hon'ble Court.

2. At the outset, Mr.M.Vijay Anand, learned counsel for the petitioner contended that he is not against "Mega Diwali Fair 2018", to be put up on War Memorial side of the Island Grounds, Chennai. However, his only grievance is that the guidelines and norms fixed in the Rules and Regulations of the Explosive Rules, 2008 to be implemented. Cluster of shops proposed to have a minimum distance of 50 meters.

3. Mr.Bala Ramesh, learned Special Government Pleader is directed to get instructions on the above.

4. Post on 24.10.2018.

-sd/-

12/10/2018

/ TRUE COPY /

TO

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C.C. to M/S.M.VIJAY ANAND Advocate on payment of necessary charges

Order

in

WP No.27051 of 2018

AND WMP.NO.31461 OF 2018

Date :12/10/2018

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VC (16/10/2018)