

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 18.06.2018****CORAM:****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****W.P. (MD) No.12371 of 2018**

Sumathi

... Petitioner

-Vs-

1. The Appellate Authority,
Additional Director General of Police (L & O)
Tamilnadu.

2. The Commissioner of Police,
Madurai City,
Alagar Kovil Main Road,
Madurai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondent to dispose of the appeal dated 15.12.2017 preferred by the petitioner challenging the order dated 14.10.2017 passed by the second respondent in his proceedings in C.No.37/15639/V2/2017 within the period that may be stipulated by this Court.

For Petitioner : Mr.R.Gandhi

For Respondents : Mr.V.Anand
Government Advocate**ORDER**

This writ petition is filed for issuing a Writ of Mandamus to direct the first respondent to dispose of the petitioner's appeal, dated 15.12.2017 preferred by the petitioner challenging the order passed by the second respondent, dated 14.10.2017 within a time stipulated by this Court.

2.The petitioner states that she was running a permanent fire work shop at Door No.175/198, Indira Nagar, Koodamangalam Main Road, Sellur, Madurai and that she was also given a licence for the year 2009-2010 and for subsequent years, it is stated by the petitioner that the licence was periodically renewed.

3. It is the case of the petitioner that when she applied for renewal on 17.03.2017, the second respondent issued a show cause notice seeking explanation from the petitioner as to why her



licence cannot be cancelled and later, the petitioner states that she rectified the defects pointed out by the second respondent and insisted for renewal. Since the licence was not extended beyond the original time, it is stated that the application for renewal was rejected by the second respondent. Thereafter, under Rule 121 of the Explosives Act, 2008, the petitioner states that she preferred an appeal before the first respondent on 15.12.2017 challenging the order of the second respondent, dated 14.10.2017.

4.The learned counsel appearing for the respondent has no objection for considering the petitioner's appeal before the first respondent in accordance with law and to give a direction to the first respondent to dispose of the appeal in accordance with law.

5.On the basis of the facts and the submission of the learned counsel appearing for the respondents, this Court is inclined to pass the following directions:-

"The first respondent is directed to consider the petitioner's appeal, dated 15.12.2017 and pass appropriate orders on merits and in accordance with law, after giving sufficient opportunity to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order." No costs.

Sd/-

Assistant Registrar(w)

/True copy/

Sub Assistant Registrar

To

1. The Appellate Authority,
Additional Director General of Police (L & O)
Tamilnadu.
2. The Commissioner of Police,
Madurai City,
Alagar Kovil Main Road,
Madurai.

+1cc to Mr. R.Gandhi, Advocate Sr.No.68552

RMI

VB/SV/MMS/SAR1/29.06.2018/2P/4C

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18.06.2018