



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2018

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI**

**W.A(MD)NO.1222 OF 2016
and
C.M.P(MD)Nos.8112 and 8113 of 2016**

V.Nagarathinam : Appellant/Third Party

.vs.

1.S.Suresh Kannan : First Respondent/Petitioner

2. The Commissioner of Police,
Commissioner Office,
South Kaval Kooda Theru,
Madurai -1. : Second Respondent/Respondent

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent praying this Court to set aside the order passed by this Court in W.P(MD)No.9075 of 2012, dated 30.07.2012.

Prayer in WP(MD). 9075/ 2012 :

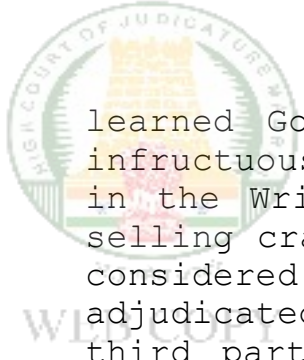
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, in the nature of writ directing the respondent to issue renewal licence for selling crackers for the year 2012, during the oncoming Deepavali Season in the petitioner s shop situated at Plot NO. 653, K.K.Nagar, Madurai 20 , on the basis of the the petitioner's representation dated 28.03.2012 .

For Appellant : No appearance
For Respondent-2 : Mr.A.Thiyagarajan
Government Advocate

JUDGEMENT

[Judgement of the Court was made by **K. RAVICHANDRABAABU, J.**]

When the matter was previously listed on 27.10.2017, there was no representation for the appellant. Again, it is posted today for further hearing. Once again, there is no representation for the appellant. However, considering the submissions made by the



learned Government Advocate that the appeal itself has become infructuous, in view of the fact that the very relief sought for in the Writ Petition is in respect of renewal of licence for selling crackers for the year 2012 Deepavali season, we are of the considered view that nothing survives in this Writ Appeal to be adjudicated upon further, which was filed by the appellant as a third party in the Writ Petition and aggrieved by the grant of permission in favour of the first respondent for selling crackers for that period.

2. Accordingly, the Writ Appeal is dismissed as infructuous. No costs. Consequently, connected Civil Miscellaneous Petitions are dismissed.

Sd/-
Assistant Registrar (Crl side)

/True Copy/

Sub Assistant Registrar

To

The Commissioner of Police,
Commissioner Office,
South Kaval Kooda Theru,
Madurai -1.

+ 1 cc TO The Special Government Pleader in SR Nos.61654 & 61882

vsn
AE/SV MMS/SAR1/27.04.2018/2P/3C

**JUDGEMENT MADE IN
W.A (MD) NO.1222 OF 2016
and
C.M.P (MD) Nos.8112 and
8113 of 2016
16.04.2018**