



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.22461 of 2018

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N.P.Subramanian

... Petitioner

vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Superintendent of Police,
Sivagangai District,
Sivagangai.

3.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

4.The Tahsildar,
Thiruppattur Taluk,
Thiruppattur,
Sivagangai District.

5.The Deputy Superintendent of Police,
Thiruppattur,
Thiruppattur Taluk,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to consider and pass order on my representation dated 27.10.2018 within a stipulated time.

For Petitioner : Mr.S.Kameswaran

For Respondents : Mr.M.Jeyakumar

Additional Government Pleader

O R D E R

This writ petition has been filed to direct the respondents to consider the petitioner's representation dated 27.10.2018 within the stipulated time as fixed by this Court.

2.The case of the petitioner is that the third respondent granted license bearing No.10/2003 to the petitioner to sell Fire Crackers in retail shop at 10-6-60, Big Bazaar Street, Thiruppattur, Thiruppattur Taluk, Sivagangai District in the year



2003. The said license has been extended periodically and has been renewed till 31.03.2019 and he has also paid the renewal fee. Thereafter, the third respondent issued a renewal certificate and permitted him to sell crackers in a retail shop in the aforesaid address.

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3. According to the petitioner, for the past few years, during Deepavali Festival, some unauthorized persons, without having any valid license, selling fire crackers on retail basis in the platform near Gandhi Statue, Big Bazaar Street, Thiruppattur. In view of the illegal business carried on by the retail dealers of fire crackers, the persons, who have valid license, their business is severely being affected. In the aforesaid circumstances, a representation was addressed to the respondents on 27.10.2018, requesting to prevent the non-license holder from selling fire crackers unauthorizedly and take action against them. Since no action has been forthcoming, the petitioner is before this Court.

4. The learned counsel appearing for the petitioner would submit that in view of the present Deepavali Festival is going to be celebrated on 06.11.2018, there is an urgent necessity, the authority to take action against the non-license holder, who are running retail fire crackers. In the said circumstances, the learned counsel seeks a direction to the concerned authority to pass orders on the representation submitted by the petitioner.

5. The learned Additional Government Pleader would submit that the petitioner's representation may be directed to be considered.

6. Considering the aforesaid submissions, this writ petition is disposed of with the following direction:

The respondents are directed to consider the petitioner's representation dated 27.10.2018 and pass orders on merit and in accordance with law, within a period of two days from the date of receipt of a copy of this order. In case, the non-license holders, who are selling fire crackers in the area mentioned by the petitioner unauthorizedly, the authority shall take immediate action to remove those persons. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS-III)

To:

1. The District Collector,
<https://hcservices.ecourts.gov.in/hcservices/>
Sivagangai District,
Sivagangai.



2.The Superintendent of Police,
Sivagangai District,
Sivagangai.

3.The Revenue Divisional Officer,
Devakottai,
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4.The Tahsildar,
Thiruppattur Taluk,
Thiruppattur,
Sivagangai District.

5.The Deputy Superintendent of Police,
Thiruppattur,
Thiruppattur Taluk,
Sivagangai District.

+1 CC To MR.S.KAMESWARAN, Advocate SR. NO. 94209

W.P.(MD) No.22461 of 2018
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