

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.10.2019
CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. No. 30448 of 2019
and
W.M.P. No. 30461 of 2019

S.Nandakumar

... Petitioner

-vs-

The District Revenue Officer-cum
Additional District Magistrate, Cuddalore,
Cuddalore District.
... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondent to consider the application dated 29.08.2019 acknowledged on 30.08.2019 vide Application No. TN6620190830184 to issue temporary licence to the Petitioner, pending disposal of the main application proceedings No. Moo Moo C4/10146/2018 on the file of the Respondent.

For Petitioner : Mr. B.S. Gnanadesikan
Senior Counsel for
M/s.Gnandesikan Law Associates

For Respondent : Mr. M.Karthikeyan
Additional Government Pleader

O R D E R

Heard Mr. B.S. Gnanadesikan, Learned Senior Counsel appearing for the Petitioner, Mr. M. Karthikeyan, Learned Additional Government Pleader, who takes notice for the Respondent and perused the materials placed on record, apart from pleadings of the parties.

2. This Writ Petition has been filed for a direction to the Respondent to consider Application No. TN6620190830184 dated 29.08.2019, which is acknowledged on 30.08.2019, to issue temporary licence to the Petitioner, pending disposal of the main application proceedings No. Moo Moo C4/10146/2018 on the file of the Respondent.

3. Learned Senior Counsel appearing for the Petitioner submits that the Petitioner made an application for renewal of licence under the provisions of the Explosives Act, 1884 and as

the same was refused by order No. Moo Moo C4/10146/2018 dated 06.08.2019, the Petitioner had filed W.P. No. 27192 of 2019 before this Court, which was allowed by order dated 12.09.2019, holding that it was violation of principles of natural justice and after setting aside the order impugned therein, the matter was directed to be considered afresh on merits in accordance with law. It is further contended that though the Petitioner appeared on the dates of enquiry before the Respondent, no final order has yet been communicated to him till date. In this backdrop, it is stated that the Petitioner has on 29.08.2019 made another application under Rule 84 of the Explosives Rules, 2008 for temporary licence, which may be considered and disposed having regard to the fact that the Deepavali Festival is approaching shortly on 27.10.2019, when fireworks could be used by the public.

4. In view of the aforesaid submissions made, the Respondent shall consider the said application for temporary licence made by the Petitioner and pass reasoned order on merits and in accordance with law and communicate the decision taken, preferably by 25.10.2019. It is made clear that no view is expressed by this Court on the correctness or entitlement of the claim made by the Petitioner.

5. In the result, the Writ Petition is disposed on the aforesaid terms. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

kv

To

The District Revenue Officer-cum
Additional District Magistrate, Cuddalore,
Cuddalore District.

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