



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) No.22308 of 2019

Hussainmohamed

... Petitioner

-vs-

- 1.The District Collector,
Dindigul Collectorate,
Dindigul District.
- 2.The District Revenue Officer,
Dindigul,
Dindigul District.
- 3.The Tahsildar,
Natham Taluk,
Dindigul District.
- 4.The District Fire and Rescue Services Officer,
Fire and Rescue Services Department,
Dindigul,
Dindigul District.
- 5.The Superintendent of Police,
Dindigul,
Dindigul District.
- 6.Janab A. Muhammad Ali
- 7.Qutubuddin

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents to initiate necessary and appropriate action to consider the petitioner's representation dated 08.10.2019 and to direct the officials to initiate necessary action immediately to take effective safety measures to run the crackers shop of 6th and 7th respondents for public safety and protection, which may protect any untoward incident during festival season within the stipulated period as fixed by this Court.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondents 1 to 5 : Mr.A.K.Baskara Pandian
Special Government Pleader

For Respondents 6 and 7 : Mr.T.S.Mohammed Mohideen



O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

Heard Mr.S.Sarvagan Prabhu, learned counsel appearing for the petitioner, Mr.A.K.Baskara Pandian, learned Special Government Pleader appearing for the respondents 1 to 5 and Mr.T.S.Mohammed Mohideen, learned counsel appearing for the respondents 6 and 7.

2.By consent on either side, this Writ Petition itself is taken up for final disposal.

3.The petitioner has filed this Writ Petition to direct the official respondents to prevent the private respondents from selling fire crackers without obtaining licence.

4.The petitioner's case is that the private respondents are not permitted to sell fire crackers and without licence they are selling fire crackers and it will be a threat to the life of the people, especially when there is petrol punk in the near vicinity.

5.The learned counsel appearing for the respondents 6 and 7 would submit that absolutely there is no bonafide in the relief sought for by the petitioner and according to the learned counsel there are other reasons for filing this Writ Petition.

6.The learned Special Government Pleader appearing for the respondents 1 to 5 would submit that the 7th respondent has been granted licence to sell crackers and so far as the 6th respondent is concerned, he has applied for renewal of licence for two premises and in respect of one of the premises positive recommendation has been made and in respect of the other application is pending.

7.In the light of the materials placed before us and the submissions made, we dispose of this Writ Petition with a direction to the authorities to ensure that no person is permitted to run fire crackers shop without obtaining any licence, including the petitioner.

8.The Writ Petition stands disposed of with the above direction. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

sj

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The District Collector,
Dindigul Collectorate,
Dindigul District.

2.The District Revenue Officer,
Dindigul,
Dindigul District.

3.The Tahsildar,
Natham Taluk,
Dindigul District.

4.The District Fire and Rescue Services Officer,
Fire and Rescue Services Department,
Dindigul,
Dindigul District.

5.The Superintendent of Police,
Dindigul,
Dindigul District.

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-93914[F] dated
23/10/2019)

+1 CC to M/s.T.S.MOHAMED MOHIDHEEN, Advocate (SR-94114[F] dated
24/10/2019)

+1 CC to M/s.SPL GP (SR-94265[F] dated 24/10/2019)

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23.10.2019

JM/25.10.2019/3P/9C