



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.12.2019

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.26442 of 2019

M/s.Redchilli Crackers
represented by its Partner,
S.Srinivasan.

... Petitioner

Vs.

The Additional District Magistrate and District
Revenue Officer,
Karur District,
karur - 639 007.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order in Proceedings No.Mu.Mu.E2/1802/2018, dated 9.11.2019 passed by the respondent herein and to quash the same and consequently to direct the respondent to consider the application dated 31.1.2018 submitted by the Petitioner in Form AE 12 for grant of NOC for obtaining license under Explosive.

For Petitioner : Mr.A.V.Arun
For Respondent :Mr.M.Pandiarajan
Addl.Govt.Pleader

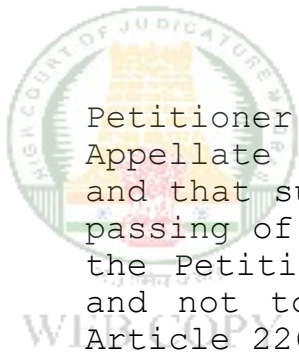
ORDER

This Writ Petition has been filed seeking to quash the impugned order passed by the respondent in Proceedings No.Mu.Mu.E2/1802/2018, dated 9.11.2019 and consequently to direct the respondent to consider the application dated 31.1.2018 submitted by the Petitioner in Form AE 12 for grant of NOC for obtaining license under Explosive.

2.Mr.M.Pandiarajan, learned Additional Government Pleader takes notice for the respondent.

3. By consent of both parties, the main Writ Petition is taken up for final disposal.

4.A perusal of the impugned order would reveal that the
<https://hcservices.ecourts.gov.in/hcservices/>



Petitioner has an alternative remedy of filing an appeal before the Appellate Authority as per Rule 121 of the Explosive Rules, 1988 and that such appeal should be filed within 60 days from the date of passing of impugned order. Hence the alternative remedy available to the Petitioner is to file an appeal before the appellate authority and not to approach this Court by filing a Writ Petition under Article 226 of the Constitution of India.

5.The learned counsel for the Petitioner submitted that the Petitioner has not yet filed any appeal before the appellate authority.

6.In view of the above submission, the Petitioner is directed to file an appeal before the appellate authority within the time limit prescribed by the Explosive Rules,1988. On receipt of such appeal papers, the appellate authority is directed to consider the same and pass orders on the same, on merits and in accordance with law, after affording an opportunity of hearing to the Petitioner and others concerned, if any, within a period of six weeks from the date of filing of such appeal.

7.With the above directions, the Writ Petition stands disposed of. No Costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

vsn
To

The Additional District Magistrate and District
Revenue Officer,
Karur District,
karur - 639 007.

Copy to: The Section Officer, E.R. Section, Madurai Bench
of Madras High Court, Madurai.

+1 CC to M/s.A.V.ARUN, Advocate (SR-104861[F] dated 13/12/2019)

+1 CC to M/s.SPL.GP (SR-104971[F] dated 13/12/2019)

W. P (MD) No.26442 of 2019

12.12.2019

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