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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. NO. 5540 OF 2021

N. Gunaseelan

.. Petitioner

Versus

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
3. The Inspector of Police
Kambinallur Police Station,
Kambinallur,
Karimangalam Taluk,
Dharmapuri District.
4. D.Chinnadurai,

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1, 2 and 3 herein to consider and initiate appropriate action on the representation dated 22.04.2019 and 09.11.2020 of the petitioner regarding violation of terms of conditions of License under Explosives Act 1884, issued to the 4th respondent herein and pass orders thereon.

For Petitioner : Mr.R.Thamaraiselvan

For Respondents : Mr.R.Krishnaraja
Government Counsel for R1 - R3

Mr.R.Amburosh for R4



ORDER

The petitioner has filed this writ petition praying to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to consider and initiate appropriate action against the fourth respondent for having violated the terms and conditions of Licence issued in his favour under the Explosives Act 1884, by considering his representations dated 22.04.2019 and 09.11.2020.

2. It is stated by the petitioner that he is a permanent resident of Boomisamuthiram Village, Kambainallur Post, Karimangalam Taluk, Dharmapuri. According to him, the fourth respondent, who is residing in the same village, is manufacturing lesser powered fireworks for which he has obtained Explosive licence in his name under Licence No.2/2009. It is the grievance of the petitioner that the fourth respondent has been carrying on such business by stocking the explosive materials in the residential area and selling them clandestinely during nights to those who are in need of them for commemorating temple festivals and other events. Due to such illegal activities of the fourth respondent, the residents in the locality are living under panic as there is every likelihood of an explosion and/or any untoward incident at any time, which may result in heavy damage to the lives of the residents. Pointing out such illegal activities of the fourth respondent, the petitioner submitted a representation dated 22.04.2019, followed by another representation dated 09.11.2020 to the second respondent requesting to take severe action against the fourth respondent. However, such representation did not yield the desired result, hence, this writ petition.

3. Today, when the matter was taken up for consideration, the learned counsel for the fourth respondent drew the attention of this court to the proceedings dated 02.09.2020 issued by the Additional District Munsif cum Revenue Divisional Officer, Dharmapuri District, in Mu.Mu.4810/2020/C3 wherein, the licence granted to the fourth respondent was renewed for a further period from 01.04.2020 to 31.03.2023 vide licence No.03/2017. Thus, the learned counsel submitted that the fourth respondent is carrying on the business with due licence.

4. At this stage, the learned counsel appearing for the petitioner submitted that he is not pressing the relief sought for in this writ petition.



5. Recording the above submissions of the learned counsel for the petitioner as well as the fourth respondent, this writ petition stands closed. No costs.

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Sd/-
Deputy Registrar(CS)

// True Copy //

Sub Assistant Registrar

msr/rsh

To

1. The District Collector
Dharmapuri District,
Dharmapuri.
2. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
3. The Inspector of Police
Kambinallur Police Station,
Kambinallur,
Karimangalam Taluk, Dharmapuri District.

+1cc to M/s.R.Thamarai Selvan, Advocate, S.R.No.55506

+1cc to Mr.R.Amburosh, Advocate, S.R.No.54839

+1cc to the Government Pleader, S.R.No.55859

WP No. 5540 of 2021

AJS(CO)
RLP(01/11/2021)