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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. No. 29598 of 2014

and

M.P. No. 1 of 2014

Karikunnummal Sirosh

... Petitioner

-VS-

1. The District Magistrate,
The Government of Puducherry,
Puducherry.
2. The Sub-Divisional Magistrate,
Mahe, Puducherry.
3. The Superintendent of Police,
Mahe,
Government of Puducherry.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the entire records pertaining to the order passed in the proceedings No.533/SDM/C2/EXPL/2014/75 dated 06.06.2014 on the file of the second respondent and quash the same and direct the first and second respondents herein to grant renewal of the periodical license in respect of the petitioner business of stock and sale of fire works in the licensed shop premise situated at Door No.X/911B, K.G.Marar Smaraka Trust Building, Palloor Paral Main Road, Irattapilakkool, Pallor, Mahe for the period commencing from 01.04.2014 to 31.03.2015 besides directing the first and second respondents to grant further renewal of periodical license for a minimum period of one year or more.

For Petitioner : Mr.R.Natarajan

For Respondents : Mr.J.Kumaran
Additional Government Pleader
(Puducherry)

O R D E R

The learned counsel appearing for the petitioner made a submission that as per the rules, the second respondent has no



power to issue the impugned order refusing to renew the license. As per the rules, the first respondent is the competent authority. However, the present Writ Petition was filed in the year 2014 challenging the order dated 06.06.2014.

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2. The impugned order itself states that the crackers license has been renewed for the year 01.04.2013 to 31.03.2014. In respect of the renewal for the year 01.04.2014 to 31.03.2015, the Police Department, Mahe has informed that a case has been registered against the petitioner under Explosive Rules. Accordingly, the license has not been renewed.

3. However the renewal for the year 2014-15 also expired and more than 5 ½ years lapsed. Thus, the issues raised during the relevant point of time lost its relevance. Further, the petitioner is at liberty to file a fresh application for renewal, if he is otherwise eligible and qualified in accordance with the rules and in the event of filing any such application, it is to be dealt with in accordance with law.

4. With these directions, the Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-VII)

// True Copy //

Sub Assistant Registrar

vji / sp

To

1. The District Magistrate,
The Government of Puducherry, Puducherry.

2. The Sub-Divisional Magistrate,
Mahe, Puducherry.

3. The Superintendent of Police,
Mahe, Government of Puducherry.

+2CCs to M/s.R.Natarajan, Advocate, SR.No. 52648

W.P. No. 29598 of 2014 and
and
M.P. No. 1 of 2014

RLD (CO)
B.VC (29/10/2021)