



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.5071 of 2022

M/s.Shree Devasenaathipathii Fireworks,
represented by its Partner, Y.P.Rajkamal,
Virudhunagar District.

... Petitioner

vs.

1.The District Revenue Officer,
Virudhunagar District, Virudhunagar.

2.The Revenue Divisional Officer,
Sattur Town, Virudhunagar District.

3.The Tahsildar,
Taluk Office, Vembakottai,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent herein to consider the application of the petitioner dated 22.02.2021 seeking for grant of license to construct fireworks manufacturing unit.

For Petitioner :Mr.M.Thirunavukkarasu

For Respondents :Mr.D.Sasikumar

Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representation, dated 22.02.2021 seeking for grant of licence to construct fire works manufacturing unit at Sankarapandiyapuram Village, Vembakottai Taluk, Virudhunagar District, and pass final orders within a time frame to be fixed by this Court.

2.According to the petitioner, he has submitted the aforementioned application seeking for grant of licence on 22.02.2021 and he has complied with all the statutory requirements. However, according to him, till date, his application has not been considered. In such circumstances, he has filed this Writ Petition.

3.Heard Mr.M.Thirunavukkarasu, learned Counsel for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents.



4.The learned Counsel for the petitioner would submit that though the application was submitted as early as on 22.02.2021 and all the statutory requirements have been complied with by the petitioner, the first respondent has not processed the application of the petitioner and passed final orders. According to him, as per Rule 103(5) of Explosive Rules, 2008, the respondents will have to complete the enquiry within a period of three months and in the instant case, even after the lapse of more than a year, the petitioner's application has not been processed. Hence, he requests this Court to direct the respondents to dispose of the application of the petitioner within a short span of time. The said statement is recorded.

5.No prejudice will be caused to the respondents, if the petitioner's application referred to supra is considered on merits and in accordance with law after affording a fair hearing to the petitioner including granting him the right of personal hearing within a time frame to be fixed by this Court.

6.Accordingly, this Court directs the first respondent to consider the petitioner's application, dated 22.02.2021 seeking for grant of licence to construct fire works manufacturing unit at Sankarapandiyapuram Village, Vembakottai Taluk, Virudhunagar District, pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner including granting him the right of personal hearing, within a period of eight weeks from the date of receipt of a copy of this order.

7.With the aforesaid directions, this Writ Petition is disposed of. No cost.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

To

1.The District Revenue Officer,
Virudhunagar District, Virudhunagar.

2.The Revenue Divisional Officer,
Sattur Town, Virudhunagar District.

3.The Tahsildar,
Taluk Office, Vembakottai,
Virudhunagar District.

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



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+1 CC to M/s.M.THIRUNAVUKKARASU, Advocate (SR-13584[F] dated 22/03/2022)

+1 CC to M/s.SPL GP (SR-13916[F] dated 23/03/2022)

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22.03.2022

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