



WEB COPY

W.P.No.29514 of 2023 etc

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2023

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.Nos.29514,29539,29520,29522,29533, 29518, 29720, 29528,
29530, 29532, 29535, 29537, 29538, 29531; 30616, 30618,
30621; 30987, 30990, 30992, 30995, 30996, 30998, 31000,
31004, 31010 & 31936 of 2023

and

W.M.P.Nos. 29136, 29140, 29141, 29138, 29163, 29166, 29148,
29151, 29153, 29155, 29162, 29330, 29154, 29147, 29156,
29157, 29158, 29160, 29143, 29152, 29142, 29167, 29329,
29150, 30272, 30267, 30273, 30266, 30269, 30635, 30636,
30645, 30618, 30638, 30652, 30620, 30623, 30625, 30628,
30627, 30634, 30639, 30641, 30643, 30653, 30657, 30659 &
31525 of 2023

W.P.No.29514 of 2023

A.Murugan

.. Petitioner

VS

1.The District Administrative Magistrate
and District Collector,
Krishnagiri.

2.The District Revenue Officer
and Additional District Magistrate,
Krishnagiri.

3.The Superintendent of Police,
Krishnagiri District,
Krishnagiri.

4.The Deputy Chief Controller of Explosives,
No.3, V East Cross Road,
Gandhi Nagar, Vellore - 632 006
(R4 suo motu impleaded
vide order dated 19.10.2023)

.. Respondents



W.P.No.29514 of 2023 etc

Prayer in W.P.No.29514 of 2023: Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records relating to the impugned order of 1st respondent in Na.Ka.No.21981/2023/C3 dated 14.08.2023 and quash the same as illegal.

For Petitioner : Mr.R.Sureshkumar
for M/s.K.M.Vijayan Associates
(in W.P.Nos.29514/2023 batch)

Ms.S.Varshini
(in W.P.Nos. 30987/23 batch)

Mr.C.Prabakaran
(in WP No.29720/23)

Mr.K.Venkatasubban
(in WP 30616,30618,30621/23)

Mr.K.A.Prabaharan
(in WP No.31936/23)

For Respondents : Mr.UM.Ravichandran, SGP
for R1 & R2
Mr.N.Muthuvel, GA (Crl Side)
for R3
Mr.V.Ashok Kumar for R4
(in W.P.Nos.29514/2023 batch)

Mr.UM.Ravichandran, SGP
for R1 & R2
Mr.V.Ashok Kumar, CGSC for R3
(in W.P.Nos. 30987/23 batch)

Mr.UM.Ravichandran, SGP
for R1
Mr.V.Ashok Kumar, CGSC for R2
(in WP 30616,30618,30621/23)

Mr.UM.Ravichandran, SGP
for R1, R2 & R3
Mr.V.Ashok Kumar, CGSC for R4
(in WP 29720/23)

Mr.UM.Ravichandran, SGP
(in WP 31936/23)



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COMMON ORDER

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Orders in this batch of writ petitions had already been passed on 02.11.2023 as follows:-

"This matter covers item No.17 in the main list and the matters in Additional list II.

2. Mr.Ashok Kumar, learned Central Government Standing Counsel who appears for R4 and R5 in the respective Writ petitions would state that the report of the Panel dated 24.01.2017 that was submitted before the Madurai Bench of Madras High Court in W.P.(MD).Nos.20232 of 2015 and 19510 of 2016 may be adopted in these matters as well.

3. This satisfies the petitioners as they believe that their shops conform to all the parameters set out in the report. This involves several questions of fact and hence, the authorities would best position to look into the parameters as set out under Clauses (i) to (vi) of Paragraph 8 of the Report of the Panel and decided on whether or not the petitioners' shops are in conformity with the same.

4. Thus, while declining to intervene in the impugned orders, the petitioners are granted liberty to appear before the 1st respondent i.e., District Collectors, Krishnagiri and Thirupathur tomorrow (03.11.2023) from 10.30 a.m. onwards to place material before the authority that their shops conform scrupulously to all parameters set out in Paragraph 8 of Panel's report dated 24.01.2017.

5. Upon hearing the petitioners, a decision shall be taken and communicated to the petitioners forthwith as to whether their contentions have been accepted or rejected. The pendency of the present Writ petitions and the fact that the licenses have been cancelled would not stand as a hindrance for reconsideration of the matters by the District



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Collector at this juncture.

6. *Mr.UM.Ravichandran, learned Special Government Pleader would submit that inputs would have to be obtained from the Fire Authorities and Law and Order Authorities prior to the decision being taken by the District Collector.*

7. *Needless to say, this is mandatory and necessary and timely inputs shall be provided by the authorities to ensure that orders are passed by the District Collectors within the time frame as indicated in this Order.*

8. *Learned Special Government Pleader also makes a suggestion that the petitioners could consider a readily available alternate place which already conforms to the specifics of the location as set out under Paragraph 8 of the Panel's Report in which the case the question of grant of temporary licences would be considered. Such a suggestion could be put forthwith to the petitioners for their consideration and decision.*

9. *List these matters on 28.11.2023."*

2. Learned counsel, who appears for the petitioners also state that the petitioners have appeared before the first respondent availing liberty that had been granted under the aforesaid order.

3. Let suitable orders shall be passed by the respondent concerned having regard to the report of the panel dated 24.01.2023 that has been adopted in these matters as well.

4. The directions issued under order dated 02.11.2023 are reiterated to say that the petitioners shall be heard, materials produced to establish compliance with the statutory parameters



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will be looked into and the request of petitioners in their applications / representations shall be disposed by the authorities, in accordance with law, prevailing regulations and in line with the principles of natural justice, expeditiously.

5. Recording the aforesaid, these writ petitions are closed. No costs. Connected miscellaneous petitions are closed.

28.11.2023

Index:Yes/No
Neutral Citation:Yes
ssm

To

- 1.The District Administrative Magistrate
and District Collector,
Krishnagiri.
- 2.The District Revenue Officer
and Additional District Magistrate,
Krishnagiri.
- 3.The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
- 4.The Deputy Chief Controller of Explosives,
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DR. ANITA SUMANTH,J.

ssm

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