



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 02.02.2023**

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**CORAM:**

**THE HON'BLE MR.T.RAJA, THE ACTING CHIEF JUSTICE  
and  
THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR**

**W.P.(MD) No.1996 of 2023  
and  
W.M.P(MD)No.1755 of 2023**

R.Ajithkumar

... Petitioner

-VS-

1.The Joint Chief Controller of Explosives,  
South Circle,  
A and D Wing, Block 1-8, IInd Floor,  
Shastri Bhavan, No.26, Haddows Road,  
Nungambakkam, Chennai-600 006.

2. The District Collector,  
Dindigul District.

3.The Superintendent of Police,  
Dindigul District.

4. The District Revenue Officer / Additional District Magistrate,  
Dindigul District Revenue Office,  
Dindigul.

5. The Revenue Divisional Officer,  
Nilakkottai, Dindigul District.

6. The Village Panchayat President,  
Sitthargalnatham Panchayat,  
Nilakottai Taluk,  
Dindigul.



7. Rajapandian

... Respondents

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**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 6 not to grant any license or permission to the seventh respondent for constructing the Explosive godown in Survey No. 8/1 at Sitthargalnatham Village, Nilakkottai Taluk, Dindigul District by considering the representation dated 04.01.2023.

For Petitioner : Mr.K.Chengiz Khan  
For R1 : Mr.S.Jayasingh, Senior Panel Counsel  
For R2, R4 to R6 : Mr.P.Thilak Kumar  
Government Pleader  
For R3 : Mr.S.Manikandan  
Government Advocate (Crl.Side)

### **ORDER**

**[Order of the Court was made by  
The Hon'ble The ACTING CHIEF JUSTICE]**

Mr.R.Ajithkumar, S/o.Ramu, a resident of South Street, Pillaiyarnatham, Nilakkottai Taluk, Dindigul District, has filed this Writ Petition, for issuance of a Writ of Mandamus under Article 226 of the Constitution of India, directing the respondents 1 to 6 not to grant any license or permission to the seventh respondent/Mr.Rajapandian for constructing the explosive godown in Survey No.8/1 at Sitthargalnatham Village, Nilakkottai Taluk,



Dindigul District, on the basis of his representation dated 04.01.2023.

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2. Learned counsel appearing for the petitioner would submit that since the seventh respondent planned to establish a high power explosive godown in the land situated in Survey No.8/1 at Sitthargalnatham Village, Nilakkottai Taluk, Dindigul District, the petitioner has given a representation to the official respondents on 04.01.2023 expressing his grievance and also the objection for establishing high power explosive godown in the aforesaid place. Learned counsel further submitted that the proposed site for establishment of high power explosive godown is completely surrounded by the agricultural punja lands and the villagers are cultivating various crops therein. This apart, the proposed site is surrounded by water stream and there are many wild animals living in and around the area and therefore, if the high power explosive godown is established in the proposed site, this would cause problems to the villagers and also to the animals living in and around that area.

3. We have heard the learned counsel on either side and perused the materials available on record.



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4. We are unable to find any justification. The reason is that the petitioner himself has admitted in paragraph No.4 of the affidavit filed in support of the writ petition that the proposed site for the explosive godown is surrounded only by agricultural punja lands, and the fact remains that the seventh respondent has not come forward to put up his explosive godown in the residential area. So, when the seventh respondent has chosen the non-residential area and the petitioner is also not residing in the same village but residing in a nearby village, we can see that this writ petition has not been filed with public interest but with private interest with an oblique motive. Therefore, the writ petition is dismissed as devoid of merits. No costs. Consequently, connected miscellaneous petition is closed.

**[T.R., A.C.J.] [D.K.K., J.]**  
**02.02.2023**

NCC : Yes / No  
Index : Yes / No  
Internet: Yes / No  
bala/ps



W.P.(MD) No.1996 of 2021



To

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W.P.(MD) No.1996 of 2023:

**T.RAJA, A.C.J.**  
**and**  
**D.KRISHNAKUMAR, J.**

bala/ps

**ORDER MADE IN**  
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