



W.P(MD)No.26715 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26715 of 2023

and

W.M.P.(MD)Nos.22975, 22976 & 22978 of 2023

N.Parthasarathy

... Petitioner

Vs.

1.The District Revenue Officer
& Additional District Magistrate,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Sivakasi Taluk,
Virudhunagar District.

3.The Special Tahsildar,
(Match Works Special Squad),
Sivakasi,
Virudhunagar District.

4.The Village Administrative Officer,
Viswantham Village,
Virudhunagar District.

5.The Sub Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the first respondent in his proceedings Na.Ka.E4/31/2023, dated 23.10.2023 and quash the same as illegal, arbitrary, violation of principles of natural justice.

For Petitioner : Mr.M.Jothi Basu

For Respondents : Mr.V.Nirmal Kumar
Government Advocate for R1 to R4
: Mr.A.Albert James
Government Advocate for R5

ORDER

Heard both sides.

2. The petitioner is having license to sell fire crackers. The petitioner's shop is bearing door No.3/666/D, Viswanatham Village, Sivakasi Town. The allegation of the petitioner is that he had stored fire crackers and other materials in the adjacent building which is not having license. It is for this reason, the petitioner's license has been suspended.

3. The petitioner through his counsel gives an undertaking that he will remove the materials from the unlicensed premises and shift the same to a licensed place.

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4. To enable the petitioner to do so, the premises that has been sealed will be desealed. The petitioner is restrained from using the premises for any unauthorised purpose. Breach of this order will cause serious consequence. The petitioner also will have to necessarily face the prosecution for having committed the offence already.

5. The fifth respondent is directed to register FIR in this regard. Once the process of shifting from the unlicensed premises commences, the suspension of the petitioner's license would stand lifted immediately. This writ petition stands allowed on these terms. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

06.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
PMU

Note : Issue order copy on 06.11.2023.



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G.R.SWAMINATHAN, J.

PMU

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