WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5130 of 2024
and
W.M.P.(MD)No.4911 of 2024

M.Sudha ... Petitioner

Vs.

1.The District Revenue Officer,
Madurai District, Madurai.

2.The Revenue Divisional Officer,
Usilampatti Taluk,
Madurai District.

3.The Tashildar,
Usilampatti Taluk,
Madurai District.

4.The Revenue Inspector,
Karumathur,
Usilampatti Taluk,
Madurai District. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the orders passed by the 2nd respondent in Muu.Mu.No.C4/671314/2023 dated 27.10.2023 and to quash the same as illegal and further direct the 1st respondent to renew the cracker license which was originally granted vide,

https://www.mhc.tn.gov.in/judis

WEB COPY

License No.LE5-02/2016 in shop of the writ petitioner located at shop under D.No.2/265, Mariamman Kovil Street, Vikkiramangalam, Madurai District.

For Petitioner : Mr.K.R.Laxman

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader.

ORDER

Heard both sides.

2.The petitioner was having crackers shop license. She was granted license in the first instance in the year 2016. The first respondent declined to renew the same on 27.10.2023 by pointing out certain defects. Challenging the rejection order, this writ petition came to be filed.

3.I made it clear that the defects pointed out in the rejection order will have to be set right. For instance, the petitioner cannot be allowed to sell crackers next to cloth shop. The petitioner now states that all the defects pointed out in the impugned rejection order have been set right. The learned counsel would further make a grievance that the petitioner was not put on notice before rejecting the petitioner's request for renewal.

https://www.mhc.tn.gov.in/judis

WEB COPY

4.In this view of the matter, the petitioner is permitted to go before the first respondent once again by submitting an application for renewal. The first respondent will verify if all the defects earlier pointed out have been set right. If the first respondent is satisfied that there is compliance with the statutory rules, renewal can be granted. This is left to the discretion of the first respondent. The learned counsel for the petitioner states that a fresh renewal application will be submitted within a period of two weeks from the date of receipt of a copy of this order. The first respondent will entertain the same and pass final order on merits and in accordance with law within a period of eight weeks thereafter.

5.With this liberty to the petitioner and direction to the first respondent, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

05.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

https://www.mhc.tn.gov.in/judis

WEB COPY

G.R.SWAMINATHAN, J.

ias

To:-

1.The District Revenue Officer,
Madurai District, Madurai.

2.The Revenue Divisional Officer,
Usilampatti Taluk,
Madurai District.

3.The Tashildar,
Usilampatti Taluk,
Madurai District.

4.The Revenue Inspector,
Karumathur,
Usilampatti Taluk,
Madurai District.

W.P(MD)No.5130 of 2024

05.07.2024

https://www.mhc.tn.gov.in/judis