



W.P.(MD) No.11695 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.11695 of 2018

and

W.M.P(MD)No.10643 of 2018

V.Angappan

... Petitioner

Vs.

- 1.The Union of India represented by its,
Secretary to the Government,
Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhavan, Jorbarh Road,
New Delhi 110 003.
- 2.The State of Tamil Nadu represented by its
Secretary to the Government,
Fort St. George, Chennai – 600 009.
- 3.The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Anna Salai, Guindy,
Chennai – 600 032.
- 4.The District Environment Engineer,
Tamil Nadu Pollution Control Board,
No.C7 & C9, SIPCOT Industrial Complex,
Meelavittan, Tutocorin.



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5.The District Collector,
Tuticorn District,
Korampallam, Tuticorin.

6.The Joint Chief Controller of Explosives,
A & D Wing, Block 1 – 8, II Floor,
Shastri Bhavan, 26, Haddows Road,
Nungambakkam, Chennai – 600 006.

7.M/s.Standard Fireworks Pvt. Ltd.,
S.F.No.1069/2, 1070 1072 to 1080, 1083, 1085 to 1087,
Padmanabamangalam Village,
Srivaikundam Taluk,
Tuticorin District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5, to consider the representation of the petitioner, dated 26.04.2018 and pass appropriate orders, within a time frame fixed by this Court.

For Petitioner :Mr.P.M.Vishnuvarthanan

For R-1 & R-6 :Mr.S.Jeyasingh

For R-2 & R-5 :Mr.T.Amjad Khan,
Government Advocate

For R-3 & R-4 :M/s.Vijayakumar Natarajan

For R-7 :Mr.AR.Ramanathan



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ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 5, to consider the representation of the petitioner, dated 26.04.2018, and pass appropriate orders, within a stipulated time.

2. The grievance of the petitioner is that the seventh respondent, namely, M/s.Standard Fireworks Pvt. Ltd., without any permit, is operating the Fire Works Unit.

3. However, the sixth respondent filed a counter affidavit, stating that Petroleum and Explosive Safety OrganiZation (PESO), has granted licence in Form LE-1 of Explosives Rules, 2008, in favour of the seventh respondent. In addition, Licences in Form LE-3 were also issued in favour of the seventh respondent. All those licences were issued on the strength of the 'No Objection Certificate' issued by the District Authority as provided under Rules 102 and 103 of Explosives Rules, 2008 and after



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obtaining relevant documents as per the said Rules.

4. In view of the same, no contra stand can be taken by the petitioner, by filing reply affidavit. Therefore, there is no substance in the allegation made by the petitioner and hence, the prayer sought for by the petitioner cannot be granted.

5. In the result, this writ petition is dismissed.
No Costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] [R.V., J.]

12.02.2024

Neutral Citation: Yes / No
Index : Yes / No
PM
To:

- 1.The Secretary to the Government,
State of Tamil Nadu,
Fort St. George, Chennai – 600 009.
- 2.The District Collector,
Tuticorn District,
Korampallam, Tuticorin.



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D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

PM

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