



W.P.(MD)No.25884 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2024

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.25884 of 2024

and

W.M.P.(MD).No.21971 of 2024

R.Thangasamy

... Petitioner

Vs.

1.The Additional Chief Secretary /
Commissioner of Revenue Administration,
Secretariat,
Chennai.

2.The District Collector,
Tirunelveli District.

3.The District Revenue Officer Cum
Additional District Executive Magistrate,
Tirunelveli District,
Tirunelveli.

4.The Sub Collector,
Cheranmahadevi,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to issue temporary cracker license for the upcoming Deepavali Festival to be celebrated on 31.10.2024 in favour of the petitioner to sale and possess the crackers at shop in Door No.54, Main Road, Tisaianvilai, Tisaianvilai Taluk, Tirunelveli



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District, by considering the online application in TN-6620241019205, dated 19.10.2024.

For Petitioner : Mr.N.Pragalathan

For Respondents : Mr.D.Gandiraj,
Special Government Pleader

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the third respondent to issue temporary cracker license for the upcoming Diwali Festival to be celebrated on 31.10.2024 in favour of the petitioner.

2. The petitioner had submitted an online application on 19.10.2024 seeking permission for the aforementioned purpose. Since the said application was not considered, he has filed this present Writ Petition.

3. Even though the learned Special Government Pleader appearing for the respondents would submit, on instructions, that the premises of the petitioner is not feasible for running a fire cracker shop even for a short period, this Court is of the considered view that no prejudice would be caused to the respondents, if the petitioner's application is considered on merits and in accordance with law after affording one personal hearing to the petitioner, within a short time by the



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third respondent prior to the date of the upcoming Diwali festival, which is scheduled to be celebrated on 31.10.2024.

4. For the foregoing reasons, this Court directs the third respondent to pass final orders on the petitioner's online application dated 19.10.2024 seeking issuance of temporary cracker license in his favour for the upcoming Diwali Festival, which is scheduled to be celebrated on 31.10.2024 on or before 29.10.2024 on merits and in accordance with law after affording one personal hearing to the petitioner. This Court is not expressing any opinion on the merits of the petitioner's representation.

5. With the aforesaid direction, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

28.10.2024

NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

Note : Issue order copy by 28.10.2024



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To

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ABDUL QUDDHOSE, J.

TSG

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28.10.2024