



W.P.(MD)No.26284 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.26284 of 2024

and

W.M.P.(MD)No.22279 of 2024

S.Rama Devi

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City, Madurai.

2.The District Officer,
Fire and Rescue Service Department,
KK Nagar, Madurai - 20

3.The Inspector of Police,
Anna Nagar Police Station,
KK Nagar, Madurai - 20.

4.S. Suresh Kannan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to take appropriate action based on the representation of the petitioner dated 05.09.2024 and direct the 1st respondent not to give license to the 4th respondent for selling fire crackers in the ground floor of Shop portion No.1 and Shop portion No.2 bearing Door No.653, KK Nagar, Madurai belonging to the petitioner.



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For Petitioner : Mr.A.L.Vijeyderaj
For R2 : Mr.D.Sadiq Raja
Additional Government Pleader
For R1 & R3 : Mr.M.Vaikkam Karunanidhi
Government Advocate (Crl.Side)

ORDER

This writ petition has been filed to direct the 1st respondent not to give license to the 4th respondent for selling fire crackers in the ground floor of Shop portion No.1 and Shop portion No.2 bearing Door No.653, KK Nagar, Madurai belonging to the petitioner by considering the representation of the petitioner dated 05.09.2024.

2.Mr.D.Sadiq Raja, learned Additional Government Pleader, takes notice for the second respondent and Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl.side), takes notice for the respondents 1 and 3. By consent of both parties, this writ petition is taken up for final disposal.

3.The case of the petitioner is that the fourth respondent is the lessee under the petitioner. The fourth respondent is running the cracker shop in the petitioner's premises without any consent of the petitioner. Hence, the petitioner made an application before the authorities concerned in this regard. Since the same was not considered, the petitioner has filed this writ petition.



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4.The learned Additional Government Pleader for the second respondent, on instructions, submitted that the license granted to the fourth respondent, had not been renewed from the year 2017 and the application submitted by the fourth respondent seeking renewal of license had been rejected. Further, the fourth respondent has filed a writ petition challenging the order of rejection and the same is pending before this Court in W.P.(MD)No. 20858 of 2019.

5.The submission of the learned Additional Government Pleader is hereby recorded. Since the writ petition challenging the order rejecting renewal of license is pending before this Court, no order is required to be passed in this writ petition. It is open to the petitioner to get himself impleaded in the pending writ petition and canvass his case.

6.This writ petition is closed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

30.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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N.SATHISH KUMAR, J.

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