



W.P(MD)No.26242 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2024

**CORAM :**

**THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR**

W.P(MD)No.26242 of 2024

Sundaresan

: Petitioner

Vs.

1.The Commissioner of Police,  
O/o.the Commissioner of Police,  
Madurai City.

2.The Inspector of Police,  
O/o.Keerathurai Police Station,  
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 records pertaining to the impugned order passed in C.No.V2/47346/205/2024-32, dated 24.10.2024 passed by the first respondent and quash the same as illegal and subsequently, direct the first respondent to issue license to the petitioner for the purpose to sell the fire crackers at shop No.85/3A, Chinthamani Ring Road, Madurai temporarily.

For Petitioner : Mr.A.Naresh Prabu



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For Respondents : Mr.E.Antony Sahaya Prabahar,  
Additional Public Prosecutor.

### **ORDER**

This Writ Petition is directed against the order passed in C.No.V2/47346/205/2024-32, dated 24.10.2024 by the first respondent and subsequently, direct the first respondent to issue license to the petitioner for the purpose to sell the fire crackers at shop No.85/3A, Chinthamani Ring Road, Madurai temporarily.

2. It is seen from the records that the first respondent has passed the impugned order, dated 24.10.2024 rejecting the petitioner's application on the ground that the petitioner was previously involved in Crime No.265 of 2011 for the offence under Section 9(B)(1)(b) of Indian Explosives Act, on the file of the Thiruparankundram Police Station and he was convicted and a fine of Rs.3,000/- was levied by the learned Judicial Magistrate No.VI, Madurai.

3. Except the above, the first respondent has not assigned any other reason or ground for rejecting the petitioner's application. As



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rightly pointed out by the learned counsel for the petitioner, he was convicted in the year 2011 and the application for licence is filed for the present year. Hence, this Court has no hesitation to hold that the impugned order is legally unsustainable and the same is liable to be set aside.

4. In the result, the Writ Petition is allowed and the impugned order passed by the first respondent dated 24.10.2024 is set aside. The first respondent is directed to consider the petitioner's representation and pass orders today itself. (i.e., 29.10.2024. No costs.

**29.10.2024**

NCC : Yes/ No

Index : Yes/No

Internet : Yes/ No

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Note : Issue order copy on 29.10.2024.

To

- 1.The Commissioner of Police,  
O/o.the Commissioner of Police, Madurai City.
- 2.The Inspector of Police,  
O/o.Keerathurai Police Station,  
Madurai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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**K.MURALI SHANKAR, J.**

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Pre-delivery order made in  
W.P(MD)No.26242 of 2024

29.10.2024