



W.P.(MD)No.26226 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.26226 of 2024

and

W.M.P.(MD)No.22230 of 2024

Suresh

... Petitioner

Vs.

1.The District Revenue Officer,  
Tiruchirappalli District, Tiruchirappalli.

2.The Revenue Divisional Officer,  
Srirengam, Tiruchirappalli.

3.The Tahildar,  
Taluk Office,  
Manapparai,

4.The Deputy Superintendent of Police,  
Manapparai Sub Division,  
Manapparai-621 306,  
Tiruchirappalli District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to renew the petitioner's license bearing No.TN/TRI/07/2017-2018 for a period of one year from 01.04.2024 to 31.03.2025 based on the petitioner's renewal application dated 27.03.2024.

For Petitioner : Mr.A.Lourdhu Raj



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For R1 to R3 : Mr.A.Kannan  
Additional Government Pleader  
For R4 : Mr.M.Vaikkam Karunanidhi  
Government Advocate (Crl.Side)

### **ORDER**

This writ petition has been filed to direct the second respondent to renew the petitioner's license bearing No.TN/TRI/07/2017-2018 for a period of one year from 01.04.2024 to 31.03.2025 based on the petitioner's renewal application dated 27.03.2024.

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

3.The case of the petitioner is that the application submitted by the petitioner seeking renewal of license already granted to the petitioner to sell crackers under the Explosive Rules, 2008, has not been considered.

4.Before advertng into the merits of the matter, it would appropriate to extract Rule 112(5) of the Explosives Rules as under:



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*“(5) If the application for renewal reaches the renewing or licensing authority on or before the date of expiry, the licence shall be deemed to be in force until such date as the licensing authority renews the licence or until an intimation that the renewal of the licence is refused has been communicated to the applicant.”*

5.The above provision makes it clear that if the application seeking renewal of license is pending, it shall be deemed that the license is in force till the disposal of the said application.

6.In such view of the matter, till the decision is taken by the authorities concerned, the petitioner's license will be taken care of by the above Rule. At any event, the respondents are directed to consider the application of the petitioner submitted for renewal of license and pass appropriate orders on its own merits and in accordance with law as expeditiously as possible.

7.With the above direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**30.10.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
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  - 3.The Tahildar,  
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  - 4.The Deputy Superintendent of Police,  
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**N.SATHISH KUMAR, J.**

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