



W.P.(MD) No.31362 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.31362 of 2023
and
W.M.P.(MD)No.1758 of 2024**

R.Major Kumar

... Petitioner

-VS-

- 1.The District Collector,
Collectorate,
Madurai District, Madurai - 20.
- 2.The Commissioner,
Madurai Corporation,
Madurai.
- 3.The Commissioner of Police,
Madurai City,
Madurai.
- 4.The District Fire Officer,
O/o District Fire Office,
Thallagulam,
Madurai.
- 5.R.Elangovan CMD,
Promoters,
Vishal Promoters Pvt Ltd.,
Gokhale Road,
Chokikulam,
Madurai.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 take action against fifth respondent and ensure public safety in the fifth respondent Mall and inspect the said Vishal de Mall building and confirm the fire prevention equipment system, after ensuring the safety of the public establishing the system for the ambulance to go in case of emergency, and take strict action against the fifth respondent for said fire accident and to allow the fifth respondent after getting building stability certificate, and fire safety certificate permit the respondents to operate his mall and pass orders on the basis of the representation dated 25.12.2023.

For Petitioner	: Mr.N.Madhava Govindhan
For Respondents 1 & 4	: Mr.P.Thilakkumar Government Pleader
For 2 nd Respondent	: Mr.S.Devasena, Senior Counsel For Mr.T.Senthil Kumar
For 3 rd Respondent	: Mr.M.Vaikkam Karunanithi Government Advocate (Crl)
For 5 th Respondent	: Mr.N.Krishnaveni, Senior Counsel For Mr.P.Thiyagarajan

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The prayer in the Writ Petition reads as follows:-

“To issue a Writ of Mandamus, directing the respondents 1 to 4 take action against fifth respondent and ensure public safety in the fifth respondent mal and inspect the said Vishal de Mall building and confirm the fire prevention equipment system, after ensuring the safety of the public establishing the system for the ambulance to go in case of



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emergency, and take strict action against the fifth respondent for said fire accident and to allow the fifth respondent after getting building stability certificate, and fire safety certificate permit the respondents to operate his mall and pass orders on the basis of the representation dated 25.12.2023.”

2.Pursuant to the interim order granted by this Court on 28.12.2023, the Department of Fire and Rescue Services had conducted the Safety Audit of the building in question and have made certain suggestions vide proceedings dated 25.12.2023. Various measures for protection in case of fire accident were set out and the owner of the mall building in question was directed to comply with those requirements. Another report has been filed by the District Fire Officer during January 2024, stating that all suggestions and advice has been complied with and the building is now in compliance with the National Fire and Safety Rescue Rules, 2016. In view of the said report, we do not see any reason to issue a Mandamus as sought for by the petitioner at this point of time, as we find that the purpose of the Writ Petition has been achieved.



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3. Therefore, the Writ Petition is closed and the interim order stands vacated. No Costs.

[R.S.M., J.]

[L.V.G., J.]

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NCC : No
Index : No
Internet : Yes
Mrn/Sml

To

1. The District Collector,
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Madurai Corporation,
Madurai.
3. The Commissioner of Police,
Madurai City,
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4. The District Fire Officer,
O/o District Fire Office,
Thallagulam,
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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

Mrn/Sml

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