



WEB COPY



W.P.No.38820 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.10.2025

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.38820 & 38823 of 2025
and W.M.P.Nos.43441 & 43444 of 2025

K.Malarkodi

... Petitioner
(In W.P.No.38820 of 2025)

B.Jayalakshmi

... Petitioner
(In W.P.No.38823 of 2025)

Vs

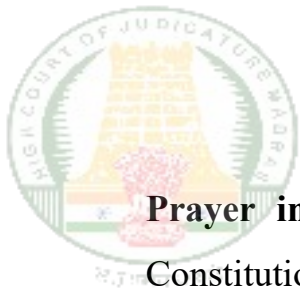
1.The District Collector,
Tiruvarur District,
Tiruvarur.

2.The Additional District Magistrate and
The District Revenue Officer,
Tiruvarur District,
Tiruvarur.

3.The Revenue Divisional Officer,
Tiruvarur Division,
Tiruvarur.

... Respondents
(In both Petitions)

Prayer in W.P.No.38820 of 2025: Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus calling for the records relating to the order passed by 2nd Respondent in Na.Ka.7605-09/2024/E4, dated 24.04.2025 and quash the same, consequently direct the respondents to allow the petitioner to run the firecracker shop till the license period i.e upto 31.03.2026.



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Prayer in W.P.No.38823 of 2025: Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus calling for the records relating to the order passed by 2nd Respondent in Na.Ka.7605-27/2024/E4, dated 24.04.2025 and quash the same, consequently direct the respondents to allow the petitioner to run the firecracker shop till the license period i.e upto 31.03.2026.

In both Petitions

For Petitioner : Mr.K.Sathish Kumar

For Respondents : Mr.P.Ganesan,
Additional Government Pleader

COMMON ORDER

These Writ Petitions have been filed challenging the impugned orders of the 2nd respondent dated 24.04.2025 seeking a consequential direction to the 2nd respondent to permit the petitioners to run the cracker shop till the extended license period of 31.03.2026.

2. It is the case of the petitioners that they had obtained the license for running a crackers shop and the same was renewed vide order dated 21.03.2023 and extended upto 31.03.2026. Subsequently, the said license was temporarily suspended on the ground that the petitioners have violated the Explosive Rules, 2008. Pursuant to the directions of this Court in a batch of Writ Petitions in W.P.Nos.31391 of 2024 etc dated 23.10.2024, the petitioners had submitted their

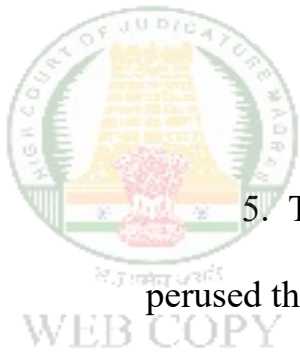


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respective undertaking affidavits before the 2nd respondent stating that they will follow the Standard Operating Procedure and that no untoward incident will take place. However, without advertng to the same, the license of the petitioners granted for running a crackers shop had been cancelled by the 2nd respondent vide order dated 24.04.2025. Aggrieved by which, the present Writ Petitions have been filed by the petitioners seeking the aforesaid relief.

3. Learned counsel appearing for the petitioners submitted that though the petitioners had submitted their undertaking affidavits stating that the Standard Operating Procedure will be strictly adhered to by the petitioners, however, the same was not considered before rejecting the claim of the petitioners which is wholly arbitrary and illegal and therefore, the order dated 24.04.2025 impugned in these Writ Petitions requires interference at the hands of this Court.

4. Learned Special Government Pleader appearing for respondents 1 to 3 while defending the impugned orders submitted that the petitioners are running the crackers shop without following the Standard Operating Procedure which was ground for cancellation of the license which was granted and therefore, no interference is warranted.



5. This Court heard the learned counsel appearing on either side and perused the materials available on record.

6. It is seen from the records that, as against the temporary cancellation of license for running the crackers shop, interim order was granted by this court so as to enable the petitioners to run the crackers shop during the festival period so that the petitioners may not suffer however, that alone cannot confer any right on the petitioners to run the crackers shop.

7. It is the specific case of the respondents that the crackers shop is situated within one meter of the parent wall though a minimum distance of three meters is mandated and further the shop is located within 12 meters from other cracker shops when the statutory requirement mandates a minimum distance of 15 meters between two such shops and therefore, the same is in violation of Rule 86 (2), Rule 86 (3) and 83 (4)(c) of the Explosives Act, 2008. The petitioners were directed to comply with certain guidelines which alone can form the basis for grant of license. Since, the license is about to expire on 31.03.2026 necessarily, the interim order granted by this Court cannot be continued and the petitioners have to seek for a fresh license as the petitioners cannot run the shop beyond 31.03.2026.



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8. In such view of the matter, necessarily, the petitioners have to comply with the Standard Operation Procedure which alone will enable the respondents to consider the grant of permanent license for the petitioners. Therefore, this Court is not inclined to interfere with the order passed by the respondents, however, it would suffice to grant liberty to the petitioners to comply with the Standard Operating Procedure prescribed by the respondents.

9. Accordingly, the petitioners are directed to submit a fresh application for grant of permanent license before the respondents within a period of four (4) weeks from the date of receipt of a copy of this order. If any such applications are filed, the respondents are directed to consider and pass appropriate orders on the same in accordance with law within a period of four (4) weeks thereafter after affording an opportunity of personal hearing to the petitioner and any other interested parties.

10. These Writ Petitions are disposed of in the above terms. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

23.10.2025

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

Nhs



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M.DHANDAPANI, J

Nhs

To

1.The District Collector,
Tiruvarur District,
Tiruvarur.

2.The Additional District Magistrate and
The District Revenue Officer,
Tiruvarur District,
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