



W.P. No.39076 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 15.10.2025

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.39076 of 2025

and

W.M.P. Nos.43830 and 43832 of 2025

G. Sathya

... Petitioner

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 District,
Tiruvarur.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus, calling for the records relating to the order passed by 2nd Respondent in Na.Ka. 7605-19/2024/E4, dated 24.04.2025 and quash the same, consequently direct the respondent to allow the petitioners to run the firecracker shop till the license period i.e upto 31-03-2026.



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For petitioner : Mr.K. Sathish Kumar

For respondents : Mr.M. Rajendiran
Addl. Govt. Pleader

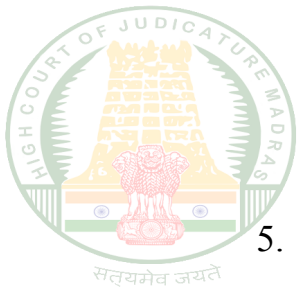
ORDER

Mr.M. Rajendiran, learned Additional Government Pleader takes notice for the respondents.

2. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

3. This writ petition has been filed to quash the order dated 24.04.2025 passed by the 2nd Respondent in Na.Ka. 7605-19/2024/E4 and consequently direct the respondents to allow the petitioner to run the firecracker shop till the license period i.e., upto 31.03.2026.

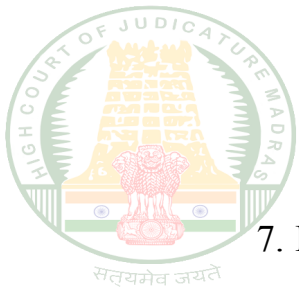
4. The case of the petitioner is that he is a licensed retail dealer in fireworks of Valangaiman Village, Tiruvarur District. The license for possession and sale of manufactured fireworks was originally granted by the 2nd respondent under License No.18/2015-2016 (LE-5), dated 05.11.2015 and renewed periodically, which is valid till 31.03.2026.



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5. It is further averred that during an inspection, certain minor deficiencies were pointed out by the 3rd respondent as per the criteria issued under the Explosive Rules, 2008. However, it is the contention of the petitioner that even though an explanation was submitted, without considering the same the 2nd respondent cancelled the said license and subsequently on the basis of an Affidavit of Undertaking as well as from earlier directions issued by this Court, the said license was extended till 23.04.2025. When that being the position, subsequently, the 2nd respondent passed the impugned cancellation order dated 24.04.2025, thereby the petitioner's license was permanently cancelled. Challenging the same, this writ petition has been filed.

6. Learned counsel for the petitioner submitted that the petitioner's license is renewed periodically and the same is valid upto 31.03.2026. Without providing sufficient opportunity to the petitioner to comply with the requirements mandated, the impugned order has been passed by the 2nd respondent on 24.04.2025, which is highly arbitrary, that too in the festival period. Therefore, he seeks for quashment of the impugned cancellation order dated 24.04.2025 issued by the 2nd respondent and for issuance of consequential directions in the above regard.

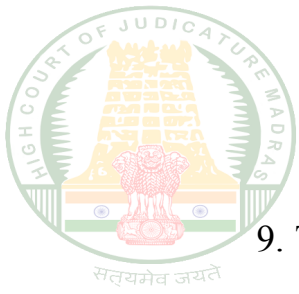


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7. Learned Additional Government Pleader appearing for the respondents

submitted that since fire accidents are often taking place, Government had issued G.O. (MS) No.152, Labour Welfare and Skill Development (M2) Department, dated 03.10.2023, wherein a Committee had been formed on the proposal of Director of Industrial Safety and Health (FAC) and Committees, viz., “State Fire and Industrial Safety Committee” at the State level, and District Fire and Industrial Safety Committee at the District level. Further, he submitted that as per the said G.O. and due to lapses on the part of the petitioner to comply with the requirements as prescribed under the Statue, the cancellation order dated 24.04.2025 has been issued by the 2nd respondent and therefore, the same is a legally sustainable one. Further, he submitted that in order to ensure proper implementation of Fire and Industrial Safety measures during the bursting of crackers for the Deepavali festival, strict guidelines have to be followed, and therefore, interference with the impugned order is unwarranted. In view of the above, he prays for dismissal of this writ petition.

8. Admittedly, the petitioner is carrying on retail sale of firecrackers at Valangaiman Village, and the licence granted to run the said shop is valid till 31.03.2026. From the submissions made, it is evident that, due to the cancellation order issued by the 2nd respondent, the petitioner is unable to run the firecracker shop.

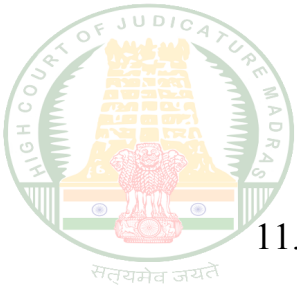


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9. This Court is of the firm view that strict safety rules are required to be followed while granting or renewing licences by the authorities concerned for firecracker shops. However, in the present case, the petitioner has been directed all of a sudden to vacate the premises, which affects the petitioner's business. Considering the festive season, this Court is of the view that some sympathetic consideration deserves to be shown on the petitioner to enable him to run the firecracker shop, subject to his filing an Affidavit of Undertaking to strictly adhere to the standard operating procedures, so as to ensure that no untoward incident occurs. It is further made clear that, if any untoward incident takes place, the petitioner alone shall be solely responsible, and in such an event, he shall not be entitled to approach the Government for any relief.

10. In view of the above, this Court directs the petitioner to submit an Affidavit of Undertaking before the 2nd respondent. On receipt of such Affidavit, the 2nd respondent shall permit the petitioner to continue his business at the same place where he was carrying on the said fire crackers shop. It is further made clear that the petitioner shall be entitled to carry on the firecracker business at Valangaiman Village only up to 23.10.2025, and thereafter, he shall find a suitable and unobjectionable place for future years. It is also made clear that, if the petitioner continues his business beyond the said period, the respondents are at liberty to take action in the manner known to law.



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11. With the above directions, this writ petition is disposed of. No costs.

WEB COPY Consequently, connected miscellaneous petitions are closed.

15.10.2025

Note : Issue order copy on 16.10.2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

vsi2

To

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 District,
Tiruvarur.

M. DHANDAPANI, J.

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