



W.P.No.38982 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.No.38982 of 2025
and W.M.P.No.43649 of 2025

Leela

... Petitioner

Vs

1.State rep.by
The District Revenue Officer,
Office of the District Revenue Officer,
Thiruvarur.

2.The Revenue Divisional Officer,
Office of the District Revenue Officer,
Thiruvarur.

3.The Tahsildar,
Valangaiman Taluk,
Thiruvarur District.

4.The District Fire Officer,
Office of the District Fire Officer,
Thiruvarur.

5.The Superintendent of Police,
Office of the Superintendent of Police,
Thiruvarur.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relates to the Impugned Order passed by the 1st Respondent dated 24.04.2025 vide his proceedings in Na.Ka.No.7605-22/2024/E4 and quash the same as illegal and consequently directing the 1st respondent to permit the petitioner to run the cracker shop up to 31.03.2026 in the light of 1st respondent's extension order vide his proceedings in Mu.Mu.1261/2023/E4 dated 29.03.2023.

For Petitioner : Ms.Shobana Ramasubamaniyan
for Mr.S.Sankar

For Respondents : Mrs.S.Anitha,
Special Government Pleader for RR-1 to 4

: Mr.S.Balaji,
Government Advocate (Crl.Side) for R-5

ORDER

This Writ Petition has been filed challenging the impugned order passed by the 1st respondent dated 24.04.2025 as also for a consequential direction to the 1st respondent to permit the petitioner to run the cracker shop till the extended license period of 31.03.2026 in the light of the extension order dated 29.03.2023 passed by the 1st respondent.

2. It is the case of the petitioner that, her husband had obtained license for running a crackers shop in the year 2015 which was extended upto 31.03.2026, vide extension order dated 29.03.2023 passed by the 1st respondent. Subsequently, the said license was temporarily suspended vide order dated



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08.10.2024 on the ground of violation of Explosive Rules, 2008 in running the crackers shop. Pursuant to the directions of this Court in W.P.No,31729 of 2024 vide common order dated 24.10.2024, the petitioner's husband had submitted an undertaking affidavit dated 14.08.2024 before the 1st respondent stating that he will follow the Standard Operating Procedure. However, without advertng to the same, the present impugned order dated 24.04.2025 has come to be passed by the 1st respondent permanently cancelling the license. Subsequently, the petitioner's husband died on 25.08.2025. Aggrieved by said cancellation order dated 24.04.2025, the present Writ Petition has been filed by the petitioner seeking the aforesaid relief.

3. Learned counsel appearing for the petitioner submitted that though the petitioner had submitted an undertaking affidavit stating that the Standard Operating Procedure will be strictly adhered by the petitioner, however, without considering the same, the present impugned order has come to be passed by the 1st respondent which is wholly arbitrary and illegal and therefore, the order impugned in this Writ Petition requires interference at the hands of this Court.

4. Learned Special Government Pleader appearing for respondents 1 to 4 while defending the impugned order submitted that the petitioner is running the crackers shop without following the Standard Operating Procedure which was ground for permanent cancellation of the license which was granted and therefore, no interference is warranted with the order impugned in this Writ



Petition.

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 permanent cancellation of license for running the crackers shop, interim order was granted by this court so as to enable the petitioner to run the crackers shop during the festival period so that the petitioner may not suffer however, that alone cannot confer any right on the petitioner to run the crackers shop.

7. It is the specific case of the respondents that the crackers shop is situated within three meters of the parent wall and in close proximity with the marriage hall therein which is not permissible. The petitioner was 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 petitioner has to seek for a fresh license as the petitioner cannot run the shop beyond 31.03.2026.

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



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Operating Procedure prescribed by the respondents.

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9. Accordingly, the petitioner is 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 application is 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. This Writ Petition is disposed of in the above terms. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is 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

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