



W.P.(MD)No.8721 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.8721 of 2025

T.Valliyammal

: Petitioner

Vs.

1. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

2. The Revenue Divisional Officer,
Sattur Taluk
Virudhunagar District.

3. The Tahsildar,
Sattur Taluk,
Virudhunagar District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent herein to consider and pass orders on the online application of petitioner dated. 07.04.2024 to grant License in Form LE-5 for the new Retail Fire Works Shop of the petitioner at Door No.2/186/C1 in Survey No.1E1A1 Chathirapati Village, Sattur Taluk, Virudhunagar District.



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For Petitioners : Mr.K.Appadurai

For Respondents : Mr.C.Venkatesh Kumar

Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the first respondent to consider and pass orders on the online application of the petitioner dated 07.04.2024 to grant license in Form LE-5 for the new retail fire Works Shop of the petitioner at Door No.2/186/C1 in Survey No.1E1A1, Chathirapati Village, Sattur Taluk, Virudhunagar District.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner claims ownership of the petition-mentioned property. He filed an online application dated 07.04.2024 before the first respondent for the grant of a fresh explosives license for the new retail fire works shop and for a 'No Objection Certificate' under the Explosives Rules, 2008. However, the respondents have not issued the license till date without providing any reason. Aggrieved by the same, the petitioner has filed the present writ petition.



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4. Heard both sides.

5. It is needless to point out that whenever a representation/application of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation/application by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's application dated 07.04.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of eight weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its



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views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

01.04.2025

Index : Yes / No

Internet : Yes / No

PKN

To

1. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

2. The Revenue Divisional Officer,
Sattur Taluk
Virudhunagar District.

3. The Tahsildar,
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VIVEK KUMAR SINGH, J.

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