



W.P.(MD)No.23919 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2025

CORAM:

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.(MD).No.23919 of 2024

and

W.M.P(MD)No.20261 of 2024

Subramanian

... Petitioner

Vs.

1. The Chief Controller of Explosives and Appellate Authority
Petroleum and Explosives Safety Organization (PESO),
A-Block, 5th Floor,
CGO Complex,
Seminary Hills,
Nagpur - 440006.

2. The Joint Chief Controller of Explosives
Petroleum and Explosives Safety Organization (PESO),
A and D Wing, Block 1-8 Shastri Bhavan,
No. 26, Haddows Road,
Nungabakkam,
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned order in G-40 (Misc) Appeal / 2024/ E51041



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dated 03.09.2024 passed by the 1st respondent confirming the order of the 2nd respondent in E/SC/TN/ 24/619 (E51041) dated 18.03.2024 and quash the same.

For Petitioner	: Mr.H.Arumugam
For R1	: Mr.K.Govindarajan Deputy Solicitor General of India
For R2	: Mr.A.Kannan Additional Government Pleader

ORDER

This writ petition has been filed to quash the impugned order passed by the 1st respondent dated 03.09.2024 confirming the order of the 2nd respondent dated 18.03.2024.

2. The facts as set out in the affidavit filed in support of the writ petition reads as under:-

The petitioner would submit that his father Sangilimuthu had been running a cracker shop at No.243, Mailam Chandai, Thiruchirapalli. He had also obtained necessary license for the same. The petitioner's father



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passed away on 29.04.2006. After the demise of the petitioner's father, the afore mentioned shop was allotted to the petitioner. Thereafter, the petitioner had submitted an application to issue license in his name in respect of the afore mentioned shop and the license was also issued to him . Due to amendment made in the year 2008, the maximum extent of the fire shop was reduced to 25 sq.m. Therefore, the petitioner's shop was reduced from 58.2 sq.m to 20.06 sq.m and the remaining space were separated as office space and as veranda space. The plan was also approved by the authorities and further as per the conditions the pathway to the office-cum-veranda space was completely closed. Thereafter, inspection was conducted at the place of the petitioner's shop on 01.11.2023 and show cause notice was also issued on 08.11.2023, on the ground that the emergency exit was completely closed and alteration to the shop was made without obtaining prior permission from the licensing authority and further there were 20 boxes of fireworks stored in the office-cum-veranda in the rear side of the firework shop.



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3. The learned counsel appearing for the petitioner would submit that alterations were made only at the premises of the office-cum-veranda and not at the petitioner's shop and further the crackers were kept on the office-cum-veranda temporarily as the rack work was going on and the same was also rectified on the same day. However, without considering the explanation, the respondents suspended the petitioner's license vide order dated 07.02.2024 and subsequently, cancelled the license by order dated 18.03.2024. Thereafter, the petitioner has preferred an appeal before the 1st respondent and the same was dismissed without considering the petitioner's explanation and without affording an opportunity of a personal hearing. That apart, no reasons are given for the rejection. Aggrieved by the same, the petitioner has come before this Court.

4. Heard the learned counsel on either side.

5. In view of the above, the impugned order of the 1st respondent dated 03.09.2024 confirming the order passed by the 2nd respondent dated 18.03.2024 is set aside as the same is a non-speaking one line order and has been passed without following the procedures.



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6. Accordingly, the writ petition stands allowed and the 1st respondent is directed to consider the appeal filed by the petitioner dated 14.05.2024 and pass final orders, particularly paying attention to the fact that the order which is impugned before him is one which is passed without notice to the petitioner. The said exercise shall be completed within a period of two (2) months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

26.09.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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P.T.ASHA, J.

rgm

To

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