



W.P(MD)No.10984 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 17.04.2026

CORAM

**THE HONOURABLE MR. JUSTICE R.SURESH KUMAR**  
**and**  
**THE HONOURABLE MR. JUSTICE P.VADAMALAI**

W.P(MD)No.10984 of 2026

S.Murugan

... Petitioner

Vs.

1. The Joint Chief Controller of Explosives,  
South Circle A and D Wing, Block 1-8 2nd Floor  
Sastri Bhavan-26, Haddows Road,  
Nunkambakkam,  
Chennai.

2. The State of Tamilnadu,  
Represented by its Secretary,  
Department of Home,  
St.George Fort,  
Chennai-600009.

3. The District Magistrate cum District Collector,  
District Collectorate Campus,  
Virudhunagar District.

4. The State of Tamilnadu,  
Rep through its the Superintendent of Police,  
District Collectorate Campus,  
Virudhunagar District.

5. The District Revenue Officer,

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District Collectorate Campus,  
Virudhunagar District.

6. The Revenue Divisional Officer,  
Sivakasi Sub Division,  
Sivakasi Taluk,  
Virudhunagar District.

7. The Tahsildhar,  
O/O. Taluk Thasildhar,  
Sivakasi Taluk,  
Virudhunagar District.

8. The Block Development Officer,  
Samynatham Panchayat,  
Sivakasi Panchayat Union Office,  
Sivakasi Taluk,  
Virudhunagar District.

9. The District Fire Officer,  
Virudhunagar District.

10. The Executive Officer,  
Samynatham Panchayat,  
Sivakasi Taluk,  
Virudhunagar District.

11. The Special Tahsildhar (Match and Fireworks Unit Inspection)  
Sivakasi Sub-Division,  
Sivakasi Taluk,  
Virudhunagar District.

12. Vairam

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the



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respondents 1 to 11 to take necessary action in respect of illegal construction of crackers shop, storage of explosive substance and commercial activities in the residential layout in S.No.1244/1A2, at Samynatham Panchayat, Enjar Village, Sivakasi Taluk, Virudhunagar District, by considering the petitioner's representation dated 10.03.2026 and pass the appropriate orders.

|                       |                                                       |
|-----------------------|-------------------------------------------------------|
| For Petitioner        | : Mr.S.M.Ramasiva                                     |
| For R2, R3, R5 to R11 | : Mr.D.Sasikumar<br>Additional Government Pleader     |
| For R4                | : Mr.A.Albert James<br>Government Advocate (Crl.Side) |

### **ORDER**

(Order of the Court was made by **R.SURESH KUMAR, J.**)

The prayer in this writ petition is to issue a Writ of Mandamus, directing the respondents 1 to 11 to take necessary action in respect of illegal construction of crackers shop, storage of explosive substance and commercial activities in the residential layout in S.No.1244/1A2, at Samynatham Panchayat, Enjar Village, Sivakasi Taluk, Virudhunagar District, by considering the petitioner's representation dated 10.03.2026 and pass the appropriate orders.



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2. It is the contention of Mr.S.M.Ramsiva, learned counsel appearing for the petitioner that the private respondent with an intention to have an explosive manufacturing unit, has put up construction at S.No. 1244/1A2, at Samynatham Panchayat, Enjar Village, Sivakasi Taluk, Virudhunagar District, without any planning permission from the authorities concerned, where if the explosives are stored and manufactured without any proper licence, that would harm to the public in the nearby locality as such illegal activities cannot be permitted to. Therefore, in order to prevent the private respondent by the official respondents seeking a direction, the present Writ of Mandamus has been filed, he contended.

3. Heard Mr.D.Sasikumar, learned Additional Government Pleader appearing for the official respondents who would submit that insofar as the construction of the building for the proposed explosive manufacturing unit or any related activities, the private respondent has already approached the concerned Panchayat and got a permission for building approval on 23.01.2026 where the built up area for 306.99 square feet has been permitted. Only with that permission, the



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construction work is going on. Therefore, it cannot be stated that it is without building permission, the same is constructed.

4. We have considered the said submissions made by the learned counsel appearing for both sides.

5. Insofar as the construction activities being taken by the private respondent is concerned, it is with the permission of the local authority concerned and therefore, we cannot restrain the private respondent from making the construction.

6. Once the construction is over, what type of explosive unit is going to be located in the constructed area is concerned, that can be decided by the private respondent, for which, necessary licence from the concerned authority must be obtained by him. Therefore, apprehending that without licence he may start the explosive business as has been apprehended now by the petitioner cannot be taken into account as of now. Therefore, the present writ petition with the prayer since has to be rejected for the aforesaid reason, it is liable to be rejected and



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accordingly it is rejected. Hence, the Writ Petition is dismissed.

However, the dismissal of this writ petition will not preclude the petitioner to re-agitate the issue in case in future if the private respondent starts the explosive business without proper licence from the authorities concerned in the manner known to law. No costs.

**[R.S.K., J.] & [P.V.M., J.]**  
**17.04.2026**

Index : Yes / No  
Neutral Citation : Yes / No  
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To

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**P.VADAMALAI, J.**

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