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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04-11-2026

CORAM

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

WP(MD) No. 31635 of 2026

CNR:{HCMD011588742026}

Case QR

AND

WMP(MD) Nos. 24317 & 24318 of 2026

P.Samuthra Pandian

..Petitioner(s)

Vs

1. The District Revenue Officer
   O/o The Revenue Divisional Officer,
   Usilampatti Division,
   Madurai District

2. The District Firework Officer
   O/o The District Firework Officer,
   Madurai District

3. The Superintendent of police
   O/o The Superintendent Of Police,
   Madurai District

..Respondent(s)

PRAYER: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned rejection order dated 22.10.2026 passed by the 1st respondent, rejecting the petitioner's application dated 01.10.2026 and quash the same as illegal, and consequently direct the respondents to grant the temporary fireworks shop license by considering the petitioner's application dated 29.10.2026.

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For Petitioner(s) :Mr.R.Dhiliban

For Respondent(s) :Mr.P.Pethu Rajesh
Additional Government Pleader
for R1 & R2
Mr.R.Mohamed Riyaz
Government Advocate (Crl.Side)
for R3

ORDER

The petitioner applied for a temporary licence to set up a retail fireworks shop. Said request was rejected under the impugned order.

2. Learned counsel for the petitioner submits that there is a distance of at least 30 metres from the shop to the electrical transformer.

3. Accepting notice for respondents 1 and 2, Mr.P.Pethu Rajesh, learned Additional Government Pleader, submits that the Rules prescribed a minimum distance of 50 metres from a protected work. Hence, he contends that no interference is warranted. Mr.R.Mohamed Riyaz, learned Government Advocate (Crl.Side), accepts notice for the third respondent.

4. As contended by learned Additional Government Pleader, sub-rule 2 of Rule 84 of the Explosives Rules prescribes that there should be a

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distance of 50 metres between the shed wherein the firecrackers are stocked and any protected work. An electric transformer would certainly fall within the scope of the expression ‘protected work’. Thus, a cogent reason has been specified for rejecting the petitioner’s application. Leaving it open to the petitioner to submit a fresh application after identifying an alternative site, this Writ Petition is disposed of. If such application for a different site were to be submitted, the first respondent is directed to consider and dispose of the same expeditiously, keeping in mind that the intended sale is in connection with the Diwali festival. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

04-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
apd

To
1. The District Revenue Officer
   O/o The Revenue Divisional Officer
   Usilampatti Division
   Madurai District

2. The District Firework Officer
   O/o The District Firework Officer
   Madurai District

3. The Superintendent of police
   O/o The Superintendent Of Police
   Madurai District

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SENTHILKUMAR RAMAMOORTHY, J.
apd

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