



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-07-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

**WP No. 18358 of 2026
and WMP.Nos.19726, 19727 of 2026**

R.Balaraman
Proprietor,
Sri Arunachala Explosives,
License No.E/SC/TN/22/480 (E33988),
No.1833/B4, Kuberlingam,
Kubera Nagar 5th East Street,
Vengikal, Tiruvannamalai -606604

..Petitioner(s)

Vs

1. The Joint Chief Controller Of Explosives
Petroleum and Explosives Safety Organization
(PESO),
South Circle, Chennai,
A and D Wing Block 1-8 2nd Floor, Shastri
Bhavan,
No.26, Haddows Road Nungambakkam,
Chennai-600 006
2. The Controller of Explosives,
Petroleum and Explosives Safety Organisation
(PESO),
Vellore Sub Circle Office,
No.3, 5th East Cross Road, Gandhi Nagar,
Vellore -632 006
3. The District Collector
Thiruvannamalai,
Thiruvannamalai District.
4. The Superintendent of Police
Thiruvannamalai,
Thiruvannamalai District.



..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Certiorarified Mandamus, to call for the records of the impugned proceedings of Suspension Order No.E/SC/TN/22/480(E33988) dated 01.04.2026 issued by 1st Respondent and consequentially allow the petitioner to access the 1st and 2nd Respondents official website namely Petroleum and Explosives Safety Organization (PESO) and enable to continue the business as usual.

For Petitioner(s):

Mr.M.Suresh Kumar
for M/s.S.Vinodha

For Respondent(s):

Mr.A.Zakir Hussain,
Central Government Standing Counsel
for R1 and R2
Mr.S.Sidhartha Vishnu
Government Counsel for R3
Mr.Durai Gunasekaran
Government Advocate (Crl.Side) for R4**ORDER**

This Writ Petition has been filed challenging the impugned order dated 01.04.2026, whereby petitioner's license issued under the Explosives Act and Rules, has been suspended invoking Section 6E(3) of the Explosives Act, 1884 read with Rule 118 of the Explosives Rules, 2008.

2. Learned counsel for petitioner would submit that petitioner is a licensed explosive dealer carrying a business under the name and style of "Sri Arunachala Explosives" since 2006. He would submit that petitioner procures



explosives from authorised manufacturers and licensed dealers across various States. He would submit that that explosives are transported with valid permits, invoices and statutory documents. On 25.08.2025, petitioner purchased 75 boxes of explosives from an authorised dealer in Kerala. While petitioner was transporting the same in two duly licensed vehicles bearing Registration Nos.TN25 BK 3979 and TN25 BK 3943 under the cover of valid documents, the above consignment was intercepted by the police and the vehicle along with the consignment was seized, according to petitioner, despite production of requisite records / documents. Thereafter, an F.I.R came to be filed in Cr.No.318 of 2025 under the Explosive Substances Act, which according to petitioner, was false.

3. It is further submission of the learned counsel for petitioner that petitioner had preferred a Crl.R.C.No.2853 of 2025, wherein this Court had directed return of the vehicle, however return of explosives was not included in the said Criminal Revision. Thereafter, an amendment petition has been filed and the same has not been listed yet. Therefore, the present Writ Petition is filed challenging the impugned order dated 01.04.2026 on the limited ground that there were no service in the manner contemplated under the Explosives Acts and Rules. As a matter of fact, learned counsel for petitioner would submit that they become aware of the fact that petitioner's license has been suspended only during the hearing of the writ petition in W.P.No.14155 of 2026, wherein



petitioner had challenged the refusal to permit access to the official website of the Explosives Department for him to generate transport permit / challan. It is only during the course of hearing of the said writ petition, petitioner was informed about the impugned order dated 01.04.2026. Petitioner has thus filed the present writ petitioner challenging the same.

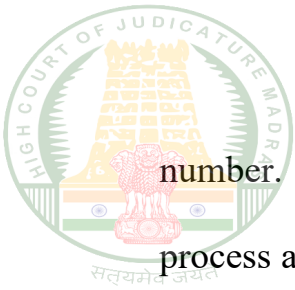
4. The short ground of challenge is that the method and manner in which the suspension of a license under the Explosive Rules ought to be made is specified under Rule 118(3) which reads as under:

“118. Suspension and revocation or cancellation of licence

(3) An order of suspension or revocation of a license shall be deemed to have been served if sent by post to the address of the licensee entered in the licence.”

5. It would be clear that any suspension or revocation of license ought to be made by post to the address of the licensee. However, learned counsel for respondents would submit that the impugned order of suspension was uploaded in the web portal and that by itself would constitute valid service.

6. The learned Central Government Standing Counsel for respondents 1 and 2, submitted that first respondent issued licenses via an online module, sending notifications and SMS messages to the applicant's registered mobile

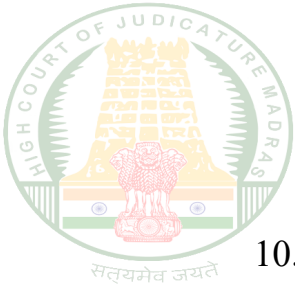


number. It is his submission that petitioner is well aware about the online process and should have checked the license status online. Hence, the allegation that the suspension order ought to have been served by post cannot be sustained.

7. This Court finds it difficult to agree with the above submission inasmuch as despite a pointed out question to the learned counsel for respondent, if there is any provision which prescribes the method and manner for the services of notices, summons, orders etc., which enables them to serve by uploading in the web portal, he was not able to point any. To the contrary, 118(3) appears to indicate that the only mode of service which is contemplated is through post.

8. To another question as to whether there is any evidence of having served the impugned order by post, learned counsel for petitioner, on instructions, would submit that there is no evidence to show that the order has been served by post.

9. In that view of the matter, since there has no valid service rather service in the manner prescribed under the Act, the impugned order is set aside. It is open to respondent authority to initiate proceedings, in accordance with law.



10. Accordingly, this Writ Petition stands disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

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Index: Yes/No

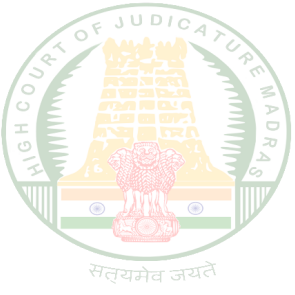
Speaking/Non-speaking order

Neutral Citation: Yes/No

ANU

To

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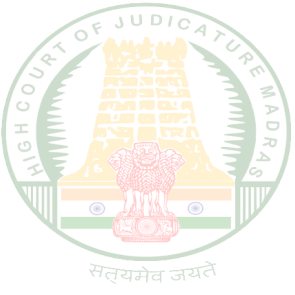


MOHAMMED SHAFFIQ, J.

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