



W.P.(MD) No.4310 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2026

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THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.4310 of 2026

and

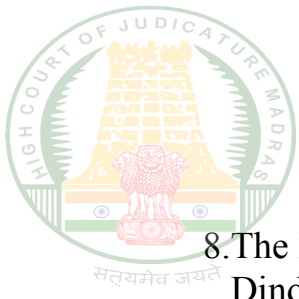
W.M.P.(MD)No.3581 of 2026

S.Sathasivam

... Petitioner

Vs.

- 1.The District Collector,
Dindigul, Dindigul District.
- 2.The Additional Director and
Personal Assistant to Collector,
Office of the Collectorate,
Dindigul District.
- 3.The District Revenue Officer,
Dindigul, Dindigul District.
- 4.The Revenue Divisional Officer,
Dindigul, Dindigul District.
- 5.The Tahsildar,
Dindigul East Taluk,
Dindigul District.
- 6.The Superintendent of Police,
Dindigul, Dindigul District.
- 7.The Project Engineer,
Nanganchiyaru, Vadinilakottai,
Palani, Dindigul District.



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8.The District Fire Officer,
Dindigul, Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the order of third respondent, the District Revenue Officer dated 04.11.2024 and the revisional order dated 19.12.2025 quash the same as illegal and arbitrary and consequently, direct the third respondent to issue No Objection Certificate in favour of the petitioner application for establishment of petroleum retail outlet at Survey No.1614/1B, Adiyanthu Village, Dindigul East, Dindigul District, subject to compliance with additional safety measures.

For Petitioner : Mr.S.Udhaya Bharathi

For R1 to R5, R7 & R8 : Mr.S.Venkatesh
Government Standing Counsel

For R6 : Mr.P.Vetrivel
Government Advocate
(Criminal side)

ORDER

The petitioner has been issued a Letter of Allotment under the Franchise Model for the sale of Motor Spirit (MS), High Speed Diesel (HSD) and lubricants by M/s.Nayara Energy Limited. Pursuant thereto, M/s.Nayara Energy Limited submitted an application before the third respondent/District Revenue Officer, Dindigul, seeking the necessary No Objection Certificate. The said application came to be rejected by an order dated 04.11.2024.



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2. Thereafter, M/s.Nayara Energy Limited submitted a fresh application on 10.10.2025. The said application has also been rejected by the impugned order on three grounds, namely, (i) that there is a church in the vicinity of the proposed site; (ii) that the site abuts the Highway; and (iii) that the property is situated adjacent to residential houses.

3. In this regard, it is relevant to note that the Petroleum and Explosives Safety Organisation (PESO), Government of India (formerly the Department of Explosives), issued Circular No. C.VIII(3)/125/Circular/Petroleum dated 09.09.2024, wherein it has been stated as follows:

C I R C U L A R

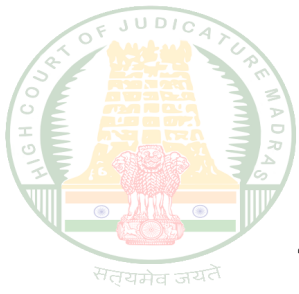
Sub: Additional safety measures for setting up of new petroleum service station – reg.

As per CPCB guidelines dated 07.01.2020 for setting up of new petrol pumps, new retail outlets shall not be located within the radial distance of 50 meters (from fill point/ dispensing units/ vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential area designated as per local laws. In case of constraints in providing 50 meters distance, the retail outlet shall implement additional safety measures as prescribed by PESO. In no case the distance between new retail outlet from school, hospitals (10 beds and above) and residential area designated as per local laws shall be less than 30 meters.

In view of the Directions of CPCB, the following additional safety measures shall be complied for setting up new petroleum service stations near residential areas, hospitals (10 beds and above) and schools within 30-50 meter radius.

1. The proposed petroleum service station shall be provided with minimum 2 meters high RCC/solid brick masonry boundary wall of 230 mm thick on the sides of proposed petroleum retail outlet facing the school, hospital (10 beds & above) and residential area designated as per Local Laws.
2. All underground tanks shall be in concrete pit in the proposed petroleum service station.
3. The tanker unloading platform shall preferably be located opposite to the side of the petroleum service station facing the school/residential area/hospitals (10 beds and above).
4. No Refueller loading or parking arrangement shall be allowed in the proposed petroleum service station.

These additional safety measures are approved by DPIIT vide Explosives Section OM No. P-13033/100/2024-EXPLOSIVE dated 7th August 2024 (copy enclosed).



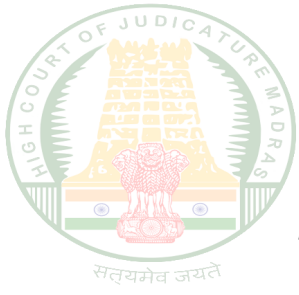
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4. A reading of the impugned order passed by the third respondent indicates that the aforesaid Circular has not been taken into consideration while rejecting the application submitted by the franchisor, namely, M/s.Nayara Energy Limited.

5. The contention that the petitioner has not executed the Franchise Agreement and that M/s.Nayara Energy Limited is not a party to the present proceedings is of no consequence. The petitioner, being the franchisee of the said Company under the Letter of Allotment, is entitled to espouse its cause to the extent necessary for seeking the relief prayed for in the present writ petition.

6. Accordingly, the impugned order is quashed, and the matter is remitted back to the third respondent for fresh consideration. The third respondent shall pass fresh orders, in the light of the Circular issued by the Government of India, Petroleum and Explosives Safety Organisation (formerly the Department of Explosives), bearing Reference No. C.VIII(3)/125/Circular/Petroleum, dated 09.09.2024, within a period of four weeks from the date of receipt of a copy of this order.



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7. The Writ Petition stands disposed of accordingly. There shall be

no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

NCC : Yes / No
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To

- 1.The District Collector,
Dindigul, Dindigul District.
- 2.The Additional Director and
Personal Assistant to Collector,
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- 3.The District Revenue Officer,
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- 5.The Tahsildar,
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- 6.The Superintendent of Police,
Dindigul, Dindigul District.
- 7.The Project Engineer,
Nanganchiyaru, Vadinilakottai,
Palani, Dindigul District.
- 8.The District Fire Officer,
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C.SARAVANAN, J.

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