

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.08.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice R.MAHADEVAN

W.P.No.26974 of 2016

&

WMP.No.23185 OF 2016

P.Subbaiyan

... Petitioner

Versus

1.The Chief Controller of Explosives
Minister of Commerce and Industries
(Govt. of India)
Petroleum and Explosives Safety Organisation
Formerly Department of Explosives,
9th Floor, A-Block, CGO Complex,
Seminary Hills,
Nagpur 440 006.

2. Arachalur Panchayat,
rep. by its President,
Arachalur Town Panchayat,
Arachalur Post,
Erode District 638101.

3.The District Collector,
Erode, SH96, Palayapalayam, Erode-638 011.

4.M/s.Gas Points Petroleum India Ltd.,
404, Sathyam Apartment,
8, Wardha Road,
Dhantoli, Nagpur 400 014,
Maharashtra.

... Respondents

Petition filed under Article 226 of the Constitution of India
praying for the issue of a Writ of Mandamus, directing the 1st
respondent to consider the petitioner's representation dated
28.10.2015 in accordance with law within a reasonable time.

For Petitioner ::: Mr.P.J.Rishikesh

For Respondents ::: Mr.Rabu Manohar for R.1

Mr.T.N.Rajagopalan

Special Government Pleader for R.2 and R.3

O R D E R

(The Order of the Court was made by The Hon'ble The Chief Justice)

The apprehension of inhabitants of the Archalur Village arising from setting up of the proposed bottle plant for storage of Liquefied Petroleum Gas, in our view, is arising from there being no response by the first respondent. If all necessary formalities are completed, then the apprehension can be allayed. Thus, if the first respondent had replied to the representation dated 28.10.2015 and had verified whether all formalities were met, then the situation of filing this writ petition would not have arisen. Naturally, if some norms are not met, then they have to be acted upon accordingly.

2. We are thus of the view that the representation made by the petitioner on 28.10.2015 be disposed of by the first respondent, after notice to all concerned, within a maximum period of one month from the date of receipt of this order.

3. The writ petition stands disposed of in the aforesaid terms, leaving the parties to bear their own costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Chief Controller of Explosives, Minister of Commerce and Industries
(Govt. of India), Petroleum and Explosives Safety Organisation
Formerly Department of Explosives, 9th Floor, A-Block, CGO Complex,
Seminary Hills, Nagpur 440 006.

2. The president, Arachalur Panchayat,
Arachalur Town Panchayat, Arachalur Post,
Erode District 638101.

3.The District Collector,
ERode, SH96, Palayapalayam,
Erode.

+1 cc to Mr.P.J.Rishikesh, advocate,sr.44025

+1 cc to Mr.B.Rabu Manohar,advocate,sr.43870

+1 cc to Govt.Pleader,sr.44095.

scd(co)

krd 18/8

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