



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:04.01.2016

CORAM:

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P. (MD) No.23617 of 2015

and

M.P (MD) No.1 of 2015

N.A.K.Gopalakrishna Raja

... Petitioner

Vs.

1. The District Collector, Theni District.
2. The District Revenue Officer, Theni District.
3. The Superintendent of Police, Theni District.
4. The Divisional Officer,
Fire & Rescue Department,
Theni Division, Theni.
5. The Chief Controller,
Department of Explosives,
No.140, Rukmani Lakkshmipathy Marshall Road,
Egmore, Chennai - 600 008.
6. The Joint Chief Controller of Explosives,
South Circle, Chennai,
Department of Explosives,
No.140, Rukmani Lakshmipathy Marshall Road,
Egmore, Chennai - 600 008.
7. Hindustan Petroleum Corporation Ltd, Madurai,
Rep. By its Senior Regional Manager,
Plot No.7, 3rd Floor, Rakesh Towers,
By pass Road, Madurai.
8. M/s.Renuga Agencies,
Through its Proprietors
Near Theni Police Station,
Periyakulam Road,
Theni - 625531.

... Respondents



the petrol bulk in the petitioner's property, measuring 5400 sq. ft., comprised in T.S.No.533 in Theni Allinagaram, in view of the cancellation of "No Objection Certificate" by 2nd respondent, resulting cancellation of "Explosive Licence" by the respondents 5 and 6 to run the same.

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For Petitioner : Mr.R.Suriyanarayanan
For R-1 to R-4 : Mr.M.Murugan,
Government Advocate
For R-5 & R-6 : Mr.N.Shanmugaselvam
For R-7 : Mr.M.Sridhar

ORDER

This Writ Petition is filed seeking for a Mandamus directing the respondents 1 to 4 to forbear the respondents 7 & 8 from running the petrol bunk in the petitioner's property, measuring 5400 sq. ft., comprised in T.S.No.533 in Theni Allinagaram, in view of the cancellation of "No Objection Certificate" issued by 2nd respondent, resulting cancellation of "Explosive Licence" issued by the respondents 5 and 6, to run the same.

2. After notice, the learned counsel appearing for the seventh respondent submitted that they have suspended the sale of petrol and other fuel from 28.12.2015 onwards since 'No Objection Certificate' granted was cancelled by the District Revenue Officer and they have preferred an appeal against such order before the District Collector on 28.12.2015.

3. Since the seventh respondent has stopped the supply of the fuel in the subject matter petrol bunk, no further order is necessary in this Writ Petition as it is for the seventh respondent to agitate the matter before the District Collector in the appeal preferred against the order passed by the District Revenue Officer.

4. Accordingly, recording the submission made by the learned counsel appearing for the seventh respondent as stated supra, this Writ Petition is disposed of without expressing any view on the merits and contentions made on either side as the appeal is pending before the District Collector filed by the seventh respondent, which has to be considered and decided on merits. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/



To

1. The District Collector, Theni District.
2. The District Revenue Officer, Theni District.
3. The Superintendent of Police,
Theni District.
4. The Divisional Officer,
Fire & Rescue Department,
Theni Division, Theni.
5. The Chief Controller,
Department of Explosives,
No.140, Rukmani Lakkshmipathy Marshall Road,
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6. The Joint Chief Controller of Explosives,
South Circle, Chennai,
Department of Explosives,
No.140, Rukmani Lakshmipathy Marshall Road,
Egmore, Chennai - 600 008.

- + 1 CC TO M/S.R.SURIYANARAYANAN, ADVOCATE IN SR NO.853/16
- + 1 CC TO M/S.M.SRIDHAR, ADVOCATE IN SR NO. 73/16
- + 1 CC TO MR.N.SHANMUGASELVAM, ADVOCATE IN SR NO. 321/16

PM

TE/PM-MP/ : 04/02/2016 : 3P/10C

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and
MP (MD) No.1 of 2015
04.01.2016