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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.6810 OF 2016

V.Prabu

... Petitioner

.Vs.

1. The Managing Director,
Indian Oil Corporation,
Indian Oil Bhavan,
No.139, Nungambakkam High Road,
Chennai - 600 034.
2. The Public Relations Officer,
Indian Oil Corporation,
Indian Oil Bhavan,
No.139, Nungambakkam High Road,
Chennai - 600 034.
3. The Divisional Officer,
The Tamil Nadu Fire and Rescue department
Chennai City, Esplanade,
Chennai - 600 104.
4. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai - 600 003.
5. Mr.Gopal,
M/s.Senthil Andavar Agency
No.31 Perambur Barracks Road,
Chennai - 600 012.

... Respondents

PRAYER:- Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to consider petitioner representation dated 02.01.2016 sent through RPAD to all the respondents.

For Petitioner : M/s.C.H.Vinobha Gandhi

For Respondents : No appearance
[For R1 to R3]



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Mr.N.Jothi [For R5]

M/s.Karthikaa Ashok
Senior Standing Counsel
For Chennai Corporation
[For R4]

O R D E R

The relief sought for in the present Writ Petition is to consider the representation submitted by the writ petitioner on 02.01.2016.

2. The said representation was addressed to the first respondent/Managing Director of Indian Oil Corporation. The petitioner states that he is residing at No.30 Perambur Barracks Road, Pattalam Chennai. In the adjacent premises at Door No.31, one Mr.R.Gopal was conducting a Petrol Bunk in the name of M/s.Sri Senthil Andavar Agency, which is the retail out let of the first respondent. The petrol Bunk is functioning in a small area, mixed in the middle of the residences. The said place is totally unfit to conduct a Petrol Bunk and there is a possibility of untoward incident in the event of any accident. Further, the people residing adjacently are being affected on account of the Petrol Bunk. During rainy seasons, the people in that locality are suffering a lot and therefore, they are submitted a representation to the first respondent to cancel the licence granted to run the retail Petrol Bunk shop. However, the said representation is yet to be considered.

3. In view of the fact that the public interest is involved and there are complaints from the nearby residents regarding health aspects, it is the duty of the first respondent to conduct an enquiry and take decision on merits and in accordance with law. Public health is a right to life enunciated under Article 21 of the Constitution of India. Whenever there is any complaint from the public, affecting the health of the people residing in that locality, the competent authorities are bound to attend the complaint immediately and take action. This being the constitutional obligation on the part of the authorities concerned, keeping the representation pending for long years, can never be appreciated. Whenever such applications, affecting the public health is filed by the citizen of this great Nation, the authorities are expected to look into the same, conduct an enquiry and take appropriate decision in the interest of the public at large.

4. This being the principles to be followed, the first respondent is directed to conduct an inspection through the



competent authorities and enquire into the allegations set out in the complaint/representation and take appropriate decision and communicate the said decision to the petitioner within a period of four weeks from the date of receipt of the copy of this order.

5. With these directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Managing Director,
Indian Oil Corporation,
Indian Oil Bhavan,
No.139, Nungambakkam High Road,
Chennai - 600 034.
2. The Public Relations Officer,
Indian Oil Corporation,
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The Tamil Nadu Fire and Rescue department
Chennai City, Esplanade,
Chennai - 600 104.
4. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai - 600 003.

+1cc to M/s.Karthikaa Ashok, Advocate, S.R.No.47605
+1cc to M/s.C.H.Vinobha Gandhi, Advocate, S.R.No.47786

W.P.NO.6810 OF 2016

PL(CO)
PBS/13/10/2021