



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) Nos.8802 & 8768 of 2015

and M.P. (MD) Nos.1, 2 & 3 of 2015 (in both W.P.'s)

(Through Video Conference)

M/s.P.Chidambaram Pillai
Hindustan Petroleum Corporation Limited Dealers
No.191/72 B1, Koolakadai Bazaar Street,
Thenkasi, Tirunelveli District.
Represented by its
Managing Partner,
G.Chidambaranathan ...Petitioner in W.P.(MD)No.8802 of 2015

Hindustan Petroleum Corporation Limited,
Rep. by its Senior Regional Manager,
Having its office at
Plot No.7, III Floor, Rakesh Towers,
By-Pass Road, Madurai 625 010
...Petitioner in W.P.(MD)No.8768 of 2015

Vs.

1. M/s Hindustan Petroleum Corporation Limited,
No.7, 7th Floor, Rakesh Towers,
By-pass Road, Madurai,
Rep. by its Senior Regional Manager
... R1 in W.P.(MD)No.8802 of 2015
2. The District Collector,
Tirunelveli District,
Tirunelveli. ... R2 in W.P.(MD)No.8802 of 2015
& R1 in W.P.(MD)No.8768 of 2015
3. The District Revenue Officer, Tenkasi
...R2 in W.P.(MD)No.8768 of 2015
4. The District Revenue Officer,
Tirunelveli District,
Tirunelveli. ... R3 in W.P.(MD)No.8802 of 2015
5. The Joint Chief Controller of Explosives,
South Circle,
No.140, Rukmani Lakshmipathy Road,
Marshall's Road, Egmore,
Chennai.



6. R.Annammal

7. T.S.Karthikeya Pandian ...RR 4 to 6 in W.P.(MD)No.8802 of 2015 &
R3 in W.P.(MD)No.8768 of 2015

WEB COPY

8. M/s.P.Chidambaram Pillai
Hindustan Petroleum Corporation Limited Dealers
No.191/72 B1, Koolakadai Bazaar Street,
Thenkasi, Tirunelveli District.
Represented by its
Managing Partner,
G.Chidambaranathan ... R4 in W.P.(MD)No.8768 of 2015

PRAYER in W.P.(MD) No.8802 of 2015: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the impugned order of the third respondent in Na.Ka.No.E1/68035/2009 dated 25.05.2015 and issued to the petitioner and quash the same as illegal.

PRAYER in W.P.(MD) No.8768 of 2015: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for records from the 2nd respondent in his proceedings in No.E1/68035/2009 dated 25.05.2015 and quash the same.

In both writ petitions:

For Petitioners : Mr.M.Senthil Kumar

For Respondents : Mr.M.Lingadurai,
Government Advocate for R2 & R3

: Mr.S.Jeyasingh, CGSC for R4

: Mr.M.Sridhar for R1

: Mr.C.Jeganathan
for Veera Associates for R6

: NA - R5

C O M M O N O R D E R

Both these Writ Petitions filed by the Dealer and Petroleum Corporation, challenges the impugned order passed by the District Revenue Officer, Tirunelveli dated 25.05.2015.

2. The main ground that has been raised by both the petitioners is that they were not given sufficient opportunity. This Court, by an order dated 02.03.2020, directed, that 'the copy of the

<https://hcservices.ecourts.gov.in/hcservices/>



representation that was made to the second respondent must be furnished and the objections should be filed before this Court for the said representation'. Accordingly, both the parties have filed their objections along with additional typed set of papers.

3. This Court does not want to perform the job of the District Revenue Officer and it will be more appropriate if the matter is remanded back to the file of the District Revenue Officer, Tirunelveli with a direction to provide sufficient opportunity to all the parties concerned, and to pass final orders within a time frame fixed by this Court. By doing so, both the petitioners will not be prejudiced and they will have the satisfaction of having been given an opportunity, after they are heard.

4. In the result, the impugned proceedings of the District Revenue Officer, dated 25.05.2015 is hereby quashed. The matter is again remanded back to the file of the District Revenue Officer, Tirunelveli. The District Revenue Officer is directed to issue fresh notice to the petitioners and all other interested parties and conduct an enquiry after affording sufficient opportunity. Final orders shall be passed strictly in accordance with law within a period of twelve(12) weeks from the date of receipt of a copy of this order.

5. With these directions, the Writ Petitions stand disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sts

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To:

1. The District Collector,
Tirunelveli District,
Tirunelveli.



2. The District Revenue Officer,
Tirunvelveli District,
Tirunvelveli.

+2 CC to M/s.VEERA ASSOCIATES, Advocate (SR-21612 & 21613[F] dated 08/07/2021)

+1 CC to M/s.M.SENTHIL KUMAR, Advocate (SR-21617[F] dated 08/07/2021)

+1 CC to M/s.SPL GP (SR-21718[F] dated 08/07/2021)

+1 CC to M/s.S.JEYASINGH, Advocate (SR-22060[F] dated 12/07/2021)

Common Order made in
W.P. (MD) Nos.8802 & 8768 of 2015

Dated: **07.07.2021**

SSS(CO)
TR(14.07.2021) 4P 8C