



W.P.No.33650 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2022

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.33650 of 2022

R.Dinesh Kumar

.. Petitioner

Vs.

1. The Joint Chief Controller of Explosives
Petroleum & Explosive Safety Organisation
A and D Wing, Block 1-8
Second Floor, Shastri Bhavan
No.26, Haddows Road
Nungambakkam, Chennai 600 006.
2. The District Collector
Office of the District Collector
Thiruvallur District.
3. The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Ponneri
Thiruvallur District.
4. The Tahsildar
Gummidipoondi Taluk
Thiruvallur District.



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5. The Territory Manager (LPG Chennai)
M/s. Bharat Petroleum Corporation Limited
Chennai LPG Bottling Plant
J1-J6, SIPCOT Industrial Complex
New Gummudipoondi, Thiruvallur District
Tamil Nadu 601 201.

6. D.Umamageshwari

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondent authorities to consider and dispose of the petitioner's representations dated 09.05.2022 and 13.05.2022.

For the Petitioner : Mr.S.Gopi

For the Respondents : Ms.N.K.Nithila Vani
Central Government Counsel
for Respondent-1

Mr.P.Muthukumar
State Government Pleader
for Respondents 2 to 4

ORDER

(Made by the Hon'ble Acting Chief Justice)

This public litigation has been filed for a direction to the respondent authorities to consider the representations of the petitioner dated 09.05.2022 and 13.05.2022, wherein, the petitioner has raised objection for setting up a commercial LPG Cylinder Godown.

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4. Learned counsel for the petitioner submitted that in residential area, a commercial LPG cylinder godown cannot be opened, especially when the land where the godown is to be set up is closer to an electric transformer.

5. Learned State Government Pleader submitted that the objection made by the petitioner and the village people will be taken into consideration and that the setting up of a commercial LPG cylinder godown has been postponed. He further submitted that for opening a LPG cylinder godown, the sixth respondent has to obtain NOC not only from the Fire Service Department, but also from the first respondent and that only on compliance of statutory requirements, license will be granted.

6. Admittedly, neither NOC nor license has been issued to the sixth respondent for opening a commercial LPG cylinder godown. Thus, there is no cause of action for filing a writ petition. Hence, the writ petition is premature. Accordingly, the writ petition is dismissed.



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However, it is made clear that if the sixth respondent is granted license in violation of any statutory conditions, the petitioner is at liberty to proceed against the same in accordance with law. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
15.12.2022

kpl

To

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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY,J

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