



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.6416 of 2022

and

W.M.P. (MD) .4998 of 2022

P.Veeramani

... Petitioner

Vs.

1.The District Collector,
O/o. the District Collector,
Madurai.

2.The Chief Controller of Explosives,
O/o. the Chief Controller of Explosives,
Block No.1-8, Second Floor,
Shastri Bhavan,
No.26, Haddows Road,
Nungambakkam,
Chennai.

3.The Chief Controller of Explosives,
O/o. the Chief Controller of Explosives,
FRDC Complex,
Near ESI Hospital,
Sivakasi West,
Sivakasi.

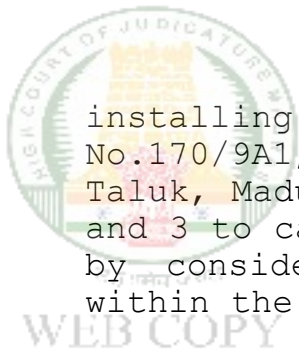
4.The Block Development Officer,
O/o. the Block Development Officer,
Thirumangalam,
Madurai.

5.The Tahsildar,
O/o. the Tahsildar,
Thirumangalam,
Madurai.

6.Vaigai Indane Gas Agency,
Represented by its Proprietor,
Jayakumar Sambath.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents No.1 to 5 to forbearing the respondent No.6 from



installing and operating Gas Station/Godown situated at Survey No.170/9A1, Vadakarai Panchayat, Vidathikulam Post, Thirumangalam Taluk, Madurai District and consequently direct the respondents No.2 and 3 to cancel the license granted in favour of the respondent No.6 by considering the petitioner's representation dated 01.01.2022 within the time stipulated by the Court.

For Petitioner : Mr.T.Thirumurugan
For R-1 and R-5 : Mr.M.Lingadurai,
Special Government Pleader.
For R-4 : Mr.M.Prakash,
Additional Government Pleader.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 5 to forbear the sixth respondent from installing and operating gas Station/godown at Survey No.170/9A1, Vadakarai Panchayat, Vidathikulam Post, Thirumangalam Taluk, Madurai District and consequently direct the respondents 2 and 3 to cancel the license granted in favour of the sixth respondent by considering the petitioner's representation dated 01.01.2022 within a time frame to be fixed by this Court.

2. The case of the petitioner is that he belongs to a Village, by name, Sungurampatti. According to him, the sixth respondent is proposing to install and operate a gas station/godown at the aforementioned property which falls within the petitioner's Village. According to him, all the villagers are objecting to the same on the ground that there is a school and a cremation ground adjoining the proposed gas station to be installed by the sixth respondent.

3. The petitioner has given a representation on 01.01.2022. It is also stated that the second respondent has already forwarded the representation of the petitioner to the sixth respondent and has asked for an explanation from him.

4. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the sixth respondent.

5. Accordingly, this Court directs the first respondent to pass final orders on the petitioner's representation dated 01.01.2022 seeking to forbear the sixth respondent from installing and operating gas station/godown situated at Survey No.170/9A1, Vadakarai Panchayat, Vidathikulam Post, Thirumangalam Taluk, Madurai District and pass final orders on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.



6. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar ()

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// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

To

- 1.The District Collector,
O/o.the District Collector,
Madurai.
- 2.The Block Development Officer,
O/o. the Block Development Officer,
Thirumangalam,
Madurai.
- 3.The Chief Controller of Explosives,
O/o. the Chief Controller of Explosives,
Block No.1-8, Second Floor,
Shastri Bhavan,
No.26, Haddows Road, Nungambakkam,Chennai.
- 4.The Chief Controller of Explosives,
O/o. the Chief Controller of Explosives,
FRDC Complex,
Near ESI Hospital, Sivakasi West, Sivakasi.
- 5.The Tahsildar,
O/o. the Tahsildar,
Thirumangalam, Madurai.

+1 CC to M/s.SPL.GP (SR-17492[F],SR-17510[F] dated 08/04/2022)

+1 CC to M/s.T. THIRUMURUGAN, Advocate (SR-17475[F] dated 08/04/2022)

W.P. (MD) .No.6416 of 2022
07.04.2022

NSN(CO)
KB(20.04.2022) 3P 8C