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W.P.(MD)NO.6935 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.6935 of 2022 and
W.M.P.(MD)No.5315 of 2022

Muneeswaran

... Petitioner

Vs.

1. The Joint Chief Controller of Explosive
A & D – Wing, Block 1-8, Second Floor,
Shastri Bhavan, 26, Haddows Road,
Nungambakkam,
Chennai – 600 006.
2. The Deputy Chief Controller of Explosives,
FRDC Complex,
Near E.S.I.Hospital,
Sivakasi West, Sivakasi,
Virudhunagar District.
3. The Zonal Officer,
Hindustan Petroleum Corporation Ltd.,
HPCL, 1st Floor, BSNL CMTS Bhavan,
70 Feet Road, Ellis City,
Madurai – 625 016.
4. The Deputy Director,
Fire and Rescue Services,
Southern Region, Mela Veli Street,
Madurai – 625 001.
5. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
SIDCO Industrial Estate,
Kappalur, Thirumangalam Taluk,
Madurai – 625 008.



6. The Commissioner,
Corporation of Madurai,
Arignar Anna Maligai,
Madurai – 625 002.
 7. The District Collector,
Madurai District,
Madurai – 625 020.
 8. Shanmugavel,
Proprietor of Sri Meenkashi H.P. Gas Agency,
No.38-C, Jeeva Main Road,
Kattabomman Nagar,
Sellur,
Madurai – 625 002.
 9. Muthu Saravanan,
Manager of Meenakshi Gas Agency,
No.15, Burma Colony,
Chinthamani Ring Road,
Madurai – 625 009
- ... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents 1 to 7 to initiate appropriate legal action in the light of the Gas Cylinders Rules, 2016 against respondents 8 and 9 based on the representation dated 30.03.2022 and to shift the commercial gas cylinder storage shed from the present place situated in Door No.15, Burma Colony, Chinthamani Ring Road, Madurai District to any other place within a stipulated time that may be fixed by this Court.



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W.P.(MD)NO.6935 OF 2022

For Petitioner : Mr.R.Karunanidhi

For R-1 & R-2 : Mr.S.Jeyasingh

For R-3 : Mr.Mahaboob Athiff

For R-4 & R-7 : Mr.M.Lingadurai,
Special Government Pleader.

For R-5 : Ms.Vijayakumari Natarajan

For R-6 : Mr.S.Vinayak

For R-8 & R-9 : Mr.P.Ganapathi Subramanian

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner alleges that the activities of the private respondents are causing nuisance to his peaceful living. Since the representation filed by him seeking action to be taken against the private respondents elicited no response, the present writ petition came to be filed.

3. On notice, the eighth respondent had filed an affidavit in which it has been undertaken that the loading and



unloading of gas cylinders will be done in conformity with the rules and regulation and safety norms will be borne in mind. It is further undertaken in the affidavit that the eighth respondent will ensure that the vehicles will not be parked in front of the writ petitioner's house. In other words, the eighth respondent will carry on his activities in the manner so as to not to cause any kind of inconvenience or nuisance to the petitioner.

4. Recording the said undertaking, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

29.06.2022

Index : Yes / No

Internet : Yes/ No

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To:

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SIDCO Industrial Estate,
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6. The Commissioner,
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7. The District Collector,



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Madurai District,
Madurai – 625 020.



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G.R.SWAMINATHAN,J.

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