



WP Nos.4275/2020 & 22304/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

WP Nos.4275 of 2020 and 22304 of 2023

WP Nos.4275 of 2020

K.Ravindrakumar

: Petitioner

versus

1.The District Revenue Officer
Coimbatore District, Collectorate Building,
State Bank Road, Gopalapuram,
Coimbatore 641018

2.The Joint Chief Controller of Explosives
A and D Wing Block 1 – 8,
Shastri Bhavan, No.26, Haddows Road,
Nungambakkam, Chennai 600006

3.The Divisional Engineer
(Construction and Maintenance)
Highways Department
No.1653/ 1 Trichy Road
Coimbatore 641018

4.M/s.Hindustan Petroleum Corporation Ltd.
Coimbatore Regional Office
H.P. House, 18/3, Big Bazaar Street
Coimbatore 641001

5.Aravind Shadish Kumar Radhakrishnan

6.Vasanthi Ramesh

: Respondents



WP Nos.4275/2020 & 22304/2023

(respondents 5 and 6 impleaded vide order dated 07.08.2023
in WMP.21463/2023)

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records of the No Objection Certificate R.Dis.No.23986/2019/J1 dated 13.02.2020 issued by the 1st Respondent in favour of the 4th Respondent to open and operate a New Road-side Petroleum Retail Outlet on State Highway No. SH-19 in Survey No.712/1 Part Marchanaickenpalayam Village Anamalai Taluk Coimbatore District in violation to the IRC Circular No.12.2009 and to quash the same

For Petitioner : Mr.V.B.R.Menon
For Respondents 1 & 3 : Mr.Karthik Jegannath,
Government Advocate
For Respondent No.2 : Mr.T.V.Krishnamachari, SPC
For Respondent No.4 : Mr.M.Vijayan,
for M/s.King and Partridge
For Respondents 5 & 6 : Mrs.Chitra Sampath,
Senior Counsel,
for Mr.Mohammed Irfan Ali

WP No.22304 of 2023

K.Ravindrakumar : Petitioner

versus

1.The Joint Chief Controller of Explosives,
Petroleum and Explosives Safety Organisation,
South Circle, Chennai,
A and D Wing, Block 1-8, Shastri Bhavan,
No.26, Haddows Road, Nungambakkam,
Chennai 600006

2.The Deputy General manager – Retail,
M/s.Hindustan Petroleum Corporation Ltd.,
Coimbatore Regional Office,
H.P.House, 18/3, Big Bazaar Street,
Coimbatore 641001

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3.The District Revenue Officer,
Coimbatore District, Collectorate Building,
State Bank Road, Gopalapuram,
Coimbatore 641018

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records of the Final Explosive Licence No.P/SC/TN/14/8708 (P470006) dated 18.03.2020 valid upto 31.12.2022 and the Final Explosive Licence renewal dated 16.11.2021 valid upto 31.12.025 issued by the 1st Respondent which permit the 2nd Respondent to illegally and unlawfully commission and operate a New Road- Side Petroleum Retail Outlet on State Highway No.SH-19 in S.No.712/1 Part Pollachi to Meenkarai Marchanaikenpalayam Village Anamalai Taluk.

For Petitioner	:	Mr.V.B.R.Menon
For Respondent No.1	:	Mr.T.V.Krishnamachari, SPC
For Respondent No.2	:	Mr.M.Vijayan, for M/s.King and Partridge
For Respondent No.3	:	Mr.Karthik Jegannath, Government Advocate

COMMON ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.V.B.R.Menon, learned counsel for the petitioner, Mr.Karthik Jegannath, learned Government Advocate, Mr.T.V.Krishnamachari, learned counsel for the second respondent, Mr.M.Vijayan, learned counsel for the fourth respondent and Ms.Chitra Sampath, learned Senior counsel for respondents 5 and 6, in WP No.4275 of 2020.



WP Nos.4275/2020 & 22304/2023

2. The learned counsel for the petitioner submits that subsequent to the filing of WP No.22304 of 2023, license issued to M/s.Hindustan Petroleum Corporation Ltd., arrayed as fourth respondent in WP No.4275 of 2020 and second respondent in WP No.22304 of 2023, was cancelled on 22.08.2023.

3. The learned counsel for the petitioner submits that as the license itself is cancelled, M/s.Hindustan Petroleum Corporation Ltd., cannot conduct any activity of retail outlet. According to the learned counsel, on account of cancellation of the license, no objection certificate (NOC) issued in favour of such Petroleum Corporation would not subsist. The learned counsel places reliance on Rule 144(1) of the Petroleum Rules, 2002.

4. The learned counsel for the Hindustan Petroleum Corporation Ltd., submits that cancellation of license would not *ipso facto*, cancel the NOC granted.

5. However, the learned counsel for the petitioner submits that the cancellation of license would entail cancellation of NOC also. The learned counsel further submits that in view of cancellation of license, the purpose of the writ petition stands served and that the petitioner would not proceed with the writ petitions.



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6. In view of the said statement, the writ petitions as such, stand disposed of. Consequently, WMP Nos.5059 and 5060 of 2020; 21693, 21695 and 21696 of 2023 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

27.09.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

To

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(tar)

WP No.4275 of 2020

27.09.2023