



WEB COPY



W.A. Nos.465, 466, 488 and 489 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 04.09.2023

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR. JUSTICE P.B.BALAJI

W.A. Nos.465, 466, 488 and 489 of 2020
and
CMP.Nos.7303 to 7306, 7189 & 7190 of 2020

Bharat Petroleum Corporation Ltd.
No.35, Vaidyanatha Mudali Street
Tondiarpet, Chennai 600 081. .. Appellant in W.A.Nos.465 & 466/2020

M/s.Vijaya Auto Services
New No.320, Old No.467 Anna Salai
Nandanam, Chennai 35. .. Appellant in W.A.Nos.488 & 489/2020

Vs.

1.National Company
Represented by its Managing Director
Dr.Arjun A.Raja
No.9, Kandasamy Street, Mylapore
Chennai 600 004.

2.The Director General of Police
Dr.Radhakrishnan Salai
Chennai 600 004.

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3.The Commissioner of Police/
District Authority,Vepery
Chennai 600 007.

4.M/s.Vijaya Auto Services
New No.320, Old No.467
Anna Salai, Nandanam
Chennai 600 035.

..Respondents in W.A.No.465/2020

1.National Company
Represented by its Managing Director
Dr.Arjun A.Raja
No.9, Kandasamy Street, Mylapore
Chennai 600 004.

2.Joint Chief Controller of Explosives
Ministry of Commerce and Industry
Petroleum and Explosives Safety
Organisation (PESO)
(Formerly Department of Explosives)
No.140, Rukmini Laxmipathi Road
Egmore, Chennai 600 008.

3.M/s.Vijaya Auto Services
New No.320, Old No.467
Anna Salai, Nandanam
Chennai 600 035.

..Respondents in W.A.No.466/2020

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Represented by its Managing Director
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2.The Director General of Police
Dr.Radhakrishnan Salai
Chennai 600 004.

3.The Commissioner of Police/
District Authority,Vepery
Chennai 600 007.

4.Bharat Petroleum Corporation Ltd.
No.35, Vaidyanatha Mudali Street
Chennai 600 081.

..Respondents in W.A.No.488/2020

1.National Company
Represented by its Managing Director
Dr.Arjun A.Raja
No.9, Kandasamy Street, Mylapore
Chennai 600 004.

2.Joint Chief Controller of Explosives
Ministry of Commerce and Industry
Petroleum and Explosives Safety
Organisation (PESO)
(Formerly Department of Explosives)
No.140, Rukmini Laxmipathi Road
Egmore, Chennai 600 008.

3.Bharat Petroleum Corporation Ltd.,
No.35, Vaidyanatha Mudali Street
Chennai 600 081.

..Respondents in W.A.No.489/2020



W.A. Nos.465, 466, 488 and 489 of 2020

Writ Appeals filed under Clause 15 of the Letters Patent against the order dated 10.03.2020 made in W.P.No.24058 of 2019 and W.P.No.31055 of 2012 passed by the learned Single Judge of this Court.

For appellant in
both W.A.Nos.465 &
466/2020 : Mr.O.R.Santhana Krishnan

For appellant in
both W.A.No.488
489/2020 : Mr.I,Abrar Mohamed Abdullah

For respondents in
W.A.No.465/2020 : Dr.R.Maheswari for R1
Ms.R.L.Karthika for R2 & R3,
Government Advocate
Mr.I.Abrar Mohamed Abdullah
for R4

For respondents in
W.A.No.466/2020 : Dr.R.Maheswari for R1
Mr.T.V.Krishnamachari for R2
Special Government Pleader
Mr.I.Abrar Mohamed Abdullah
for R3



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W.A. Nos.465, 466, 488 and 489 of 2020

For respondents in

W.A.No.488/2020 : Dr.R.Maheswari for R1

Mr.K.Tippu Sultan for R2 & R3
Government Advocate

Mr.O.S.Karthikeyan for R4

For respondents in

W.A.No.489/2020 : Dr.R.Maheswari for R1

Mr.T.V.Krishnamachari for R2
Special Government Pleader

Mr.O.S.Karthikeyan for R3

COMMON JUDGMENT

(The Judgment of the Court was delivered by D.KRISHNAKUMAR, J)

These Writ Appeals have been filed challenging the order dated 10.03.2020 passed by the learned Single Judge of this Court in W.P.No.24058 of 2019 and W.P.No.31055 of 2012.



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2. WP.No.24058 of 2019 has been filed to cancel the No Objection

Certificate issued in favour of Bharat Petroleum Corporation Limited and hand over the vacant possession of the property to the first respondent/National Company. WP.No.31055 of 2012 has been filed to cancel the licence granted in favour of the Bharat Petroleum Corporation Limited. The learned Single Judge of this Court vide order dated 10.03.2020 struck down the renewal of license, cancelled the No Objection Certificate and directed the Bharat Petroleum Corporation Limited to vacate the premises. Aggrieved over the same the present appeals have been filed.

3. The learned counsel for the first respondent/National Company has fairly stated before this Court that the prayer sought for in these Writ Petitions has become infructuous as the first respondent/National Company has already taken over the possession of the property by virtue of the order passed by the Supreme Court in Civil Appeal No.6726 of 2021, dated 11.11.2021. Therefore, nothing survives for consideration in these appeals. The above statement is recorded.



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4. Since the possession of the property has already been taken over by the first respondent, nothing survives for consideration in these appeals.

Accordingly, these appeals are dismissed as infructuous. No costs.

[D.K.K., J] [P.B.B., J.]
04.09.2023

Speaking order: Yes/No
Index : Yes/No
pvs

To

1.The Director General of Police
Dr.Radhakrishnan Salai
Chennai 600 004.

2.The Commissioner of Police/
District Authority,Vepery
Chennai 600 007.



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W.A. Nos.465, 466, 488 and 489 of 2020

D.KRISHNAKUMAR, J.
and
P.B.BALAJI, J.

pvs

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