



W.P.No.18344 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2023

CORAM :

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

AND

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

W.P.No.18344 of 2023

K.Kathiravan

.. Petitioner

Vs.

1. The Chief Secretary
(Rural Development and Panchayat
Raj Department)
Secretariat, Chennai 600 009.
2. The District Collector
Collector's Office, Dharmapuri.
3. The Joint Chief Controller of Explosives
Petroleum and Explosives Safety Organisation
South Circle, A & D Wing
Block 1-8, Second Floor
Shastri Bhavan, No.26, Haddows Road
Nungambakkam, Chennai 600 006
4. The Divisional LPG Sales Head
Indian Oil Corporation Ltd.
Indane Divisional Office
8/1079, Avinashi Road
Coimbatore 641 018.



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5. The Chief Engineer
Highways Department
Guindy, Chennai 600 028.

6. The Tahsildar
Tahsildar Office
Harur Taluk
Dharmapuri District.

7. S.Surendran

8. R.Malathi .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to stop the illegal construction for Gas Godown by the 7th respondent to be operated at S.No.36/1B2 situated at Thandekuppam Village, Thandekuppam, Harur Taluk, Dharmapuri District 636 903 on the basis of the petitioner's representation dated 07.06.2023.

For the Petitioner : Ms.R.Hemalatha
For Mr.S.Sasikumar

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for Respondents 1,2,5 & 6

Mr.V.Anantha Natarajan
for Respondent-4

Mr.Sivakumar Rajappan
for Respondent-8

No appearance -
for Respondent-3

R7 not ready in notice



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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Ms.R.Hemalatha, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader for the respondents 1, 2, 5 and 6, Mr.V.Anantha Natarajan, learned counsel for the fourth respondent and Mr.Sivakumar Rajappan, learned counsel for the eighth respondent.

2. It is submitted that the eighth respondent has obtained LPG dealership of the fourth respondent and has installed it near the School, which is not permissible.

3. Learned counsel for the fourth respondent submits that valid No Objection Certificate has been granted by the Controller of Explosives, after adhering to the Rules.

4. No distance is mentioned between the alleged School and the LPG Godown. It is submitted that the eighth respondent is operating the LPG Godown in her own land. There is no encroachment.



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5. When an LPG Godown is to be installed, all the norms and the guidelines are required to be complied with and thereafter only, permission can be granted. Without permission, LPG Godown cannot be operated.

6. The petitioner has not placed on record any such violation. In case the petitioner comes across violation and if the petitioner is aggrieved, then, the petitioner may agitate in that regard.

7. With these observations, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.17547 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No

Neutral Citation : Yes/No

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