



WEB COPY



W.P.No.21254 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2023

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THE HON'BLE MR. JUSTICE C. V. KARTHIKEYAN

Writ Petition No.21254 of 2022

and

W.M.P.No.20257 of 2022

P.Rakesh

... petitioner

Versus

1. The Joint Chief Controller of Explosives,
The Petroleum and Explosives Safety
Organization (PESO)
Formerly known as Department of Explosives
A and D – Wing, Block 1-8, Second Floor,
Shastri Bhavan, No.26, Haddows Road,
Nungambakkam, Chennai – 600 006.

2. M/s. Bharat Petroleum Corporation Ltd.,
Chennai Territory Office,
Vaidyanathan Street, Tondiarpet,
Chennai – 600 081.

3. M/s.Sakthi Services,
No.11, Sardar Patel Road,
Adyar, Chennai – 600 020.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus, calling for he
records relating to license bearing No.P/SC/TN/14/280(P30823) dated
18.12.2020 on the files of the 1st respondent and quash the same and



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consequently direct the 1st respondent to revoke the same and direct the 2nd respondent to hand over vacant possession of the property being door No.11, Sardar Patel Road, Adyar, Chennai – 600 020, comprised in Old T.S.No.18 and 19, present T.S.No.18 and 19/3, Block No.40 of kottur Village, Guindy Taluk, Chennai District to the petitioner.

For Petitioner : Mr.Aiyar and Dolia

For R1 : Mr.Kulanthaivel

For R2 : M/s.King and Patridge

ORDER

The petitioner had filed a regular Appeal before the Commissioner of Police, Greater Corporation of Chennai, who is designated as the District Authority under Rule 150 of the Petroleum Rules, 2002.

2. The said Appeal had been presented in the Office of the said District Authority on 22.12.2022. Now the entire issue is to be examined by the said District Authority and I am confident that the principles of natural justice would be adhered which would necessarily indicate that notices have to be issued to all concerned and thereafter, a decision has to be taken.



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3. Let that decision be taken on or before 31.07.2023. The indication of the date is only an outer limit and it would be really appreciated if the District Authority is able to dispose of the appeal within an earlier time than what is indicated by the Court.

4. I am not entering into any discussion on the merits stated in the Writ Petition and disposing it of the Writ Petition. However, liberty is granted to the Writ Petitioner to again approach any competent Court including this Court, depending on the order of the District Authority.

5. With the above observation, the Writ Petition stands disposed of. No order as to costs.

10.01.2023
(1/2)

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Index : Yes/No

Internet : Yes/No

To:

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The Petroleum and Explosives Safety Organization (PESO)
Formerly known as Department of Explosives A and D – Wing,
Block 1-8, Second Floor, Shastri Bhavan, No.26, Haddows Road,
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C. V. KARTHIKEYAN, J.

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(1/2)