



W.P.No.29247 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2023

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.29247 of 2023

and

W.M.P.Nos.28847 & 28849 of 2023

Confidence Petroleum India Limited
Rep. By its General Manager,
Mr.N.Murugan,
Having its office at
No.21, 6th West Cross Street,
Shenoy Nagar,
Chennai – 600 030.

.. Petitioner

VS

1.The Chief Controller of Explosives
Petroleum & Explosives Safety Organization (PESO)
A-Block, CGO Complex, 5th Floor,
Seminary Hills,
Nagpur – 440 006.

2.The Commissioner of Police,
Tambaram Commissionerate,
Tambaram.

*(R2 suo motu impleaded vide
order dated 17.10.2023)*

.. Respondents

Petition filed under Article 226 of the Constitution of India
praying to issue a writ of certiorari to call for the records on the file
of the respondent and quash the impugned order dated 12.09.2023
made in S/HO/TN/05/389(S94063) and pass such further or other



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orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.AL.Somayaji,
Senior Counsel
for M/s.King and Patridge

For Respondents : Mr.A.Kumaraguru
SPC for R1

Mr.P.Anandakumar,
Government Advocate
for R2 (suo motu impleaded)

ORDER

Read this order in conjunction with and in continuation of order dated 06.10.2023. Status report dated Nil is filed today and the following four points have been highlighted therein:-

"(1) The Land Survey No. is mentioned in premises details of license as "583/3", while in rest of the documents such as approved drawing issued by Respondent, NOC issued by Commissioner of Police, Tambaram Police Commissionerate, Chennai and copy of registered land lease documents (submitted by petitioner as mentioned above) has been mentioned as "538/3". It seems to be typographical error in license from the Respondent side.

(2) Certificate under Rule 18 submitted by the Petitioner was valid upto 15/02/2022 only.

(3) LPG supply agreement between M/s.Aegis and M/s. Confidence Petroleum India Ltd., was



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valid upto 31/12/2022 only.

The Respondent has no mechanism to verify the originality of No Objection Certificate issued by Commissioner of Police, Tambaram Police Commissionerate, Chennai, hence, to verify the same, the copy of the NOC is being forwarded to NOC issuing authority i.e., Commissioner of Police, Tambaram Police Commissionerate, Chennai for verification of originality/genuineness of NOC."

2. With respect to first point above, Mr.A.Kumaraguru, who appears for the Chief Controller of Explosives, would accede to the position that the typographical error is at their end and would be corrected forthwith.

3. With respect to the second point, learned counsel for the petitioner would submit that a revalidated Rule 18 certificate has been obtained but they are unable to upload it on the website, as a valid explosives licence is required to access the website. The first respondent shall enable the website to receive a copy of the revalidated Rule 18 certificate or in the alternate, receive a copy of the Rule 18 certificate manually.

4. With respect to the third point, the petitioner agrees to produce a copy of the updated LPG supply agreement between M/s.Aegis and and itself, before the authorities.



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5. With respect to the fourth point, the Commissioner of Police, Tambaram Police Commissionerate, Chennai, is suo motu impleaded as R2 and Mr.P.Anandakumar, learned Government Advocate, accepts notice. He will ensure that the validation of NOC shall be done forthwith and, at any rate, within two day's from today.

6. Upon satisfaction of the aforesaid four points, the respondents undertake to issue revalidated explosive licence forthwith.

7. Recording the aforesaid, and as nothing further survives in this matter, this writ petition is closed. No costs. Connected miscellaneous petitions are closed.

17.10.2023

Index:Yes/No
Neutral Citation:Yes
ssm

To

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2.The Commissioner of Police,
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DR. ANITA SUMANTH,J.

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