



W.P.Nos.30652 of 2023 & batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.11.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.30652, 30653, 30667, 30660, 30754, 30758,
30759, 30669, 30665, 30663, 30657, 30723, 30750, 30752, 30664,
30668, 30710, 30713, 30714 & 30719 of 2023

and

WMP.Nos.30320, 30318, 30319, 30322, 30323, 30324,
30325, 30326, 30328, 30374, 30394, 30398, 30383, 30307, 30311,
30317, 30409, 30413, 30327, 30405, 30385, 30302, 30303, 30305,
30412, 30401, 30404, 30312, 30315, 30378, 30379, 30382, 30321,
30410, 30376, 30377, 30384, 30400, 30373 & 30316 of 2023

WP.No.30652 of 2023

Confidence Petroleum India Limited
Rep. by its General Manager
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.



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2. The Joint Chief Controller of Explosives
Petroleum & Explosives Safety Organization (PESO)
South Circle, Chennai
A&D Wing, Block 1-8, 2nd Floor,
Shastri Bhavan,
No.26, Haddows Road,
Nungambakkam, Chennai-600 006

3. The Commissioner of Police,
Greater Chennai Police,
Vepery,
Chennai – 600 007. ... Respondents

(R3 suo motu impleaded vide order dated 29.11.2023
made in WP.Nos.30652 of 2023 and batch by this Court)

PRAYER: Writ 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 1st
Respondent and quash the Impugned order dated 12.09.2023 made in
S/HO/TN/05/352 (S88734).

(in all WPs)

For Petitioners : Ms.Bensi Ruma
for M/s.King & Patridge

(in all WPs)

For Respondents : Mr.A.Kumaraguru (for R1 & R2)
Senior Panel Counsel

Mr.M.Rajendran (for R3)
Additional Government Pleader



COMMON ORDER

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In identical situations as arising in the present writ petitions, an order has been passed on 17.10.2023 in WP.No.29247 of 2023.

2.Ms.Bensi Ruma, learned counsel for M/s.King & Patridge, for the petitioners and Mr.A.Kumaraguru, learned Senior Panel Counsel who appears for R1 and R2 would agree that the same order would be applicable to the present matters as well. That order reads as follows:

'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 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



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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.*

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.'*



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3.The exercise above has already been undertaken in relation to the present petitions as well and status reports are filed along identical lines as above, in the present matters as well. The documents filed by the petitioners have been verified and have passed muster.

4.All that remains is the issuance of no objection certificates, for which purpose, the Commissioner of Police, Greater Chennai Police, Vepery, Chennai-600 007 is impleaded suo motu, as R3 in WP.Nos.30652, 30657, 30660, 30669, 30710, 30713 and 30758 of 2023, the Commissioner of Police, Avadi Police Commissionerate, Avadi, Chennai-600 054 is impleaded suo motu, as R3 in WP.Nos.30667, 30719, 30723, 30750, 30752, 30754 and 30759 of 2023 and the Commissioner of Police, Tambaram Commissionerate, Sholinganallur, Chennai-600 119 is impleaded suo motu, as R3 in WP.Nos.30653, 30663, 30664, 30665, 30668 & 30714 of 2023.

5.Mr.M.Rajendran, learned Additional Government Pleader accepts notice for the newly impleaded parties. He will ensure that the validation of no objection certificate shall be done forthwith and at any rate within two days from today. Upon such validation, the respondents will issue the re-validated explosive licences.



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6. Recording this and as nothing further survives in these matters, these

writ petitions are closed. No costs. Connected miscellaneous petitions are closed.

vs

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Index : Yes / No

Speaking order

Neutral citations: Yes

Note: Registry is directed to carry out necessary amendments to the cause title.

To

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Petroleum & Explosives
Safety Organization (PESO)
A-Block, CGO Complex, 5th Floor,
Seminary Hills,
Nagpur-440 006.
2. The Joint Chief Controller of Explosives
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Dr.ANITA SUMANTH,J.

VS

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