



W.P.No.12053 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.12053 of 2024

Senthil Vadivelan

.. Petitioner

Vs.

1. The Secretary
Ministry of Petroleum & Natural Gas
A-Wing, Shastri Bhawan
Dr.Rajendra Prasad Road
New Delhi 110 001.
2. The Chief Secretary
Government of Tamil Nadu
Secretariat, Chennai 9.
3. The Secretary to Government of Tamil Nadu
Revenue Department
Secretariat, Chennai 9.
4. The Additional Chief Secretary
Government of Tamil Nadu
(Highways and Minor Ports Dept)
[H3-2] Department, Secretariat
Chennai 9.



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5. The Deputy Chief Engineer (Highways)
Office of the Chief Engineer (Highways)
Construction and Maintenance
No.76, Sardar Patel Road, Guindy
Chennai 600 032.
6. The Divisional Engineer
Office of the Divisional Engineer
(Highways, Construction and Maintenance)
Edappadi Town, Taluk, Salem District 637 101.
7. The Principal Secretary
Government of India
Rural Development and Panchayatraj Department
Secretariat, Chennai 600 009.
8. The District Collector
Salem District
District Collector Campus
Salem 1.
9. The District Revenue Officer
Salem District
District Collector Campus
Salem 1.
10. The Revenue Divisional Officer
RDO Office, Mettur Town and Taluk
Salem District, Mettur 636 401.
11. The Head of Bureau
Central Bureau of Investigation – ACB, Chennai
3rd Floor, Shastri Bhavan
No.26, Haddows Road, Nungambakkam
Chennai 600 006.



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- 12.The Chief Controller of Explosives
Petroleum and Explosive Safety Organisation (PESO)
A and D – Wing, Block 1 – 8, 2nd Floor
Shastri Bhavan, 26, Haddows Road
Nungambakkam, Chennai 600 006.
- 13.The District Revenue Officer
No.3, Vth East Cross Road, Gandhi Nagar
Government of India
Ministry of Commerce & Industry
Petroleum and Explosive Safety Organisation (PESO)
Vellore 632 006, Vellore District.
- 14.M/s. Bharat Petroleum Corporation Ltd.
Rep. by the State Head (Retail)
Southern Regional Office
No.1, Ranganathan Gardens, Off 11th Main Road
Anna Nagar, Chennai 600 040.
- 15.The Territory Manager
M/s. Bharat Petroleum Corporation Limited
Karur Territory Office
Kadapparai Village, Erode Road
Attur Post, Karur District 639 002.
- 16.The Controller of Explosives
No.3, Vth East Cross Road, Gandhi Nagar
Government of India
Ministry of Commerce & Industry
Petroleum and Explosive Safety Organisation (PESO)
Vellore 632 006, Vellore District.
- 17.The Block Development Officer
Tharamangalam Union
Omalur Taluk, Salem District.



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18.The Assistant Director of Panchayat
Collectorate Office Campus
Salem District.

19.The Panchayat President/Executive Officer
Karukkalvadi Panchayat
Omalur Taluk, Salem District.

20.Vijayan Palanisamy .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents 8, 9, 10, 12, 13 to consider his representation dated 15.03.2024 to stop the unauthorised and illegal construction made by the respondent No.20 and to initiate appropriate action against the 20th respondent.

For the Petitioner : Mr.G.Jeremiah

For the Respondents : Dr.G.Balu
Senior Panel Counsel
for Respondents 1, 12 & 16

Mr.A.Edwin Prabakar
State Government Pleader
for Respondents 2-4, 8-10 & 18

Mr.A.Anandan
Government Advocate
for Respondents 17 & 19

ORDER
(Made by the Hon'ble Chief Justice)

We have heard Mr.G.Jeremiah, learned counsel for the petitioner,
Dr.G.Balu, learned Senior Panel Counsel for the respondents 1, 12 and



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16, Mr.A.Edwin Prabakar, learned State Government Pleader for the respondents 2 to 4, 8 to 10 and 18 and Mr.A.Anandan, learned Government Advocate for the respondents 17 and 19.

2. The public interest litigation is filed on the ground that the other retail outlet of the respondent no.20 is within the prohibited distance of another retail outlet.

3. According to learned counsel for the petitioner, the same is against the Government Order and not in consonance with the Rules.

4. The petitioner is not a retail outlet owner or licensee of a retail outlet. The said retail outlet would not affect the petitioner in whatsoever manner.

5. A representation is already given by the petitioner. The concerned authorities, if they have not already decided the said representation, may decide the same on its own merits and in accordance with law, after adhering to the principles of natural justice,



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preferably within four months.

6. The writ petition is disposed of. There shall be no order as to costs. Consequently, W.M.P.No.13156 of 2024 is closed.

(S.V.G., CJ.)

(G.C.S.,J.)

30.04.2024

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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