



WEB COPY



W.P. No.13075 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2024

CORAM :

THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.13075 of 2024

S. Arumugam

Petitioner

Vs

1 The Joint Chief Controller of Explosives
Petroleum & Explosive Safety Organisation (PESO)
A & D Wing, Block 1 - 8, II Floor
Shastri Bhavan
26 Haddows Road
Nungambakkam
Chennai 600 006

2 The Deputy Chief Controller of Explosives
Petroleum & Explosive Safety Organisation (PESO)
South Circle, Chennai
A & D Wing, Block 1 - 8, II Floor

3 N. Nayara Energy Ltd.
formerly Essar Oil Limited
represented by its Managing Director
(Opp. Karnataka Bank)
5 B, New Avadi Road
Thandavaraya
Kilpauk
Chennai 600 010

Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 06.03.2024 and 24.04.2024 by directing the respondents 1 and 2 to follow up CPCB norms 16.08.2021 of the third respondent is proposing to install Nayara Energy Petrol Bunk in Survey No.108/6A, Poothankudi Village, Chidambaram Taluk, Cuddalore District and take appropriate action in accordance with law.

For petitioner

Mr. R. Sankarasubbu

For RR 1 & 2

Mr. M. Karthikeyan

For R3

Mr. Vijaya Mehanath
for M/s. AAV Partners

ORDER

(made by the Hon'ble Acting Chief Justice)

Heard Mr. R. Sankarasubbu, learned counsel for the petitioner, Mr. M. Karthikeyan, learned counsel for respondents 1 and 2 and Mr. Vijaya Mehanath, learned counsel representing M/s.AAV Partners, learned counsel on record for the third respondent.



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2. Raising concern over construction of a petrol bunk by the third respondent in Poothankudi Village, Chidambaram Taluk, Cuddalore District, in violation of norms of the Central Pollution Control Board, the petitioner addressed a representation dated 06.03.2024 to the first respondent and followed it up with a reminder dated 24.04.2024 addressed to the respondents 1 and 2. Finding no action in pursuance of the same, the petitioner has filed this writ petition in the form of a public interest litigation seeking a direction to the official respondents to consider and pass orders on his aforesaid representation and reminder.

3. However, the learned counsel for the official respondents submitted that licence has already been granted to the third respondent and such being the case, nothing remains to be considered as on date.

4. Be that as it may, considering the limited scope of the relief sought by the petitioner, without going into the merits of the case, this Court directs the official respondents to consider the



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petitioner's representation dated 06.03.2024 and the reminder dated 24.04.2024 purely on their own merits and pass orders on the same in accordance with law, of course, by considering the aforesaid submission made by the learned counsel for the official respondents and also by giving an opportunity of hearing to the parties concerned. The said exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

This writ petition stands disposed of with the aforesaid directions. No costs.

(R.M.D., ACJ.) (M.S.Q., J.)
06.06.2024

Index : Yes/No
NC : Yes/No

cad



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THE HON'BLE ACTING CHIEF JUSTICE
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MOHAMMED SHAFFIQ,J.

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