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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27272 of 2024

K.K.Vasudevan

... Petitioner

Vs.

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

2. The Joint Chief Controller of Explosives,
Petroleum & Explosives Safety Organization,
A & D Wing, Block - 8,
II Floor, Shastri Bhavan, 26 Haddows Road,
Nungambakkam, Chennai-6.

3. The District Collector,
Erode.

4. The Revenue Divisional Officer,
Gobichettipalayam, Erode District.

5. Bharat Petroleum Corporation Ltd.,
Coimbatore Retail Territory,
Irugur Top Installation,
Irugur Via Ravathur,
Coimbatore, Tamil Nadu- 641 103.

6. M/s.ALMP Fuels,
Brammadesam,
Anthiyur Taluk,
Anthiyur, Erode.

... Respondents



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Prayer: This Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 4th respondent to conclude the enquiry initiated vide summon dated 24.06.2024 vide Na.Ka.No.2761/2024/A4 within a time frame as fixed by this Court and further pass an order directing the 6th respondent to remove the CNG Tank constructed on the rear side of the petitioner's house in their petroleum outlet situated at M/S.ALMP Fuels Brammadesam, Anthiyur Taluk, Erode.

For Petitioner : Mr.R.Sreedhar

For Respondent : Mr.K.Gunasekar, SPCCG, RR1 & 2
Mr.U.Bharanidharan, AGP RR3 & 4

ORDER

This petition has been filed seeking a direction to the 4th respondent to conclude the enquiry initiated vide summon dated 24.06.2024 vide Na.Ka.No.2761/2024/A4 within a time frame as fixed by this Court and further pass an order directing the 6th respondent to remove the CNG Tank constructed on the rear side of the petitioner's house in their petroleum outlet situated at M/S.ALMP Fuels Brammadesam, Anthiyur Taluk, Erode.

2. It is the case of the petitioner that the 5th respondent was issued license to run a Petrol Bunk in adherence to Rule 47 of the Gas Cylinder Rules 2016 without looking into the documents attached by the petitioner, for which, a



summon has been issued by the 4th respondent for enquiry and the same was not considered so far. Hence, the petitioner has filed the present petition.

3. The learned counsel for the petitioner submitted that this Court may issue a direction to the 4th respondent to conduct enquiry on the petitioner's representation within the stipulated time as fixed by this Court.

4. The learned Additional Government Pleader appearing for the respondents submitted that enquiry will be conducted and appropriate orders will be passed.

5. Heard the learned counsel on either side and perused the materials available on record. Since no adverse order is passed as against the respondents 5 & 6, notice to them is dispensed with.

6. Considering the facts and circumstances of the case and in view of the limited request sought for by the petitioner, this Court directs the 4th respondent to conclude the enquiry after providing opportunity to the 5th respondent within a period of four weeks from the date of receipt of a copy of this order.



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7. With the above directions, this Writ Petition is disposed of. No costs.

20.09.2024

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To

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Petroleum & Explosives Safety Organization,
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Seminary Hills, Nagpur, Maharashtra – 440 006.

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3. The District Collector,
Erode.

4. The Revenue Divisional Officer,
Gobichettipalayam, Erode District.



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M.DHANDAPANI,J.

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