



W.P.(MD) No.23942 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE **K.KUMARESH BABU**

W.P.(MD) No.23942 of 2016
and W.M.P.(MD).No.17274 of 2016

V.P.Madhusoodanan (Died)

2.Kalakumari Thankachy

3.Adhulya Thankachy

4.Aswathy Thankachy

... Petitioners

*(P2 to P4 are substituted vide Court order dated 20.11.2024
in W.M.P.(MD).No.23608 of 2024)*

/vs./

1.The District Collector,
Kanyakumari District at
Nagercoil.

2.The Joint Chief Controller of Explosives,
South Circle,
South Circle Office,
Chennai.

3.The Director of Fire and Rescue Services,
No.17, Rukhmani Lakshmipathy Road,
Egmore, Chennai.

4.Hindustan Petroleum Corporation Ltd.,
Represented by its General Manager,
4th Floor, Thalamuthu Natarajan Building,
Gandhi Irwin Road,
Egmore, Chennai.



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5.The Deputy Director,
Town and Country Planning,
Tirunelveli Zone,
Tirunelveli.

6.P.Subhalakshmi,
Proprietor,
Devi HP Gas Gramin Vitarak,
(Distributor – HP Gas),
Sri Bhavan, Nedunkanjiravila,
No.19/49, Panavila, Kollemcode,
Kanyakumari District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents 1 to 5 to shift the LPG Godown of the 6th respondent situate in S.No.425/2A1 of Kollemcode Village, Vilavancode Taluk, Kanyakumari District to some other place, and pass such other order.

For Petitioner : Mr.S.S.Thesigan

For Respondents : Mr.J.K.Jeyaseelan GA for RR1, 3 & R5
Mr.R.Nandakumar for R2
Mr.M.Sridhar for R4
Mr.T.Cibi Chakraborty for R6

ORDER

This Writ Petition had been filed seeking for a direction to shift the LPG godown situated adjacent to the petitioner's residential property being run by the 6th respondent on the licence granted by the 4th respondent.



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2. The 6th respondent had been granted statutory approval by the respondents 1 to 3 and 5 as early as in the year 2013, but however, a representation had been made by the petitioner to the said respondents from the months of April to June 2016 and the same are said to be disposed of by them.

3. Considering the relief sought for in this Writ Petition and the nature of business that is carried on by the 6th respondent, a direction is issued to be 3rd respondent to consider the representations of the petitioner dated 13.06.2016 within a period of eight (8) weeks from the date of receipt of a copy of this order. The third respondent shall also afford an opportunity to the petitioner and to the respondents 4 & 6 before passing any order.

4. With the aforesaid directions, the Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes / No
gba

20.11.2024

3/4



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K.KUMARESH BABU, J.

Gba

To

- 1.The District Collector,
Kanyakumari District at
Nagercoil.
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