



WP No.19279 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP No.19279 of 2025
and WMP No.21545 of 2025

B.Karthi
S/o.Balu, No.2/12, Middle Street,
Melauppulikundu, Thirumangalam
Taluk, Madurai District.
employed at Varshaa Agro Mach
Engg. Private Limited,
Reg. Office No.197601,
Iyer Hospital Road, Singanallur Post,
Coimbatore-641 659.

Petitioner

Vs

1. The Joint Chief Controller of
Explosives,
Ministry Of Commerce And Industry,
Petroleum And Explosives, Safety
Organization (PESO) A and D-Wing
Block 1-8 II nd Floor Shastri Bhavan,
26 Haddous Road, Nungambakkam,
Chennai-600 006.

2.The District Collector,
Coimbatore District, Coimbatore.



WP No.19279 of 2025

WEB CONTENT

3.The District Revenue Officer,
Coimbatore District, Coimbatore.

4.The District Fire Officer,
Fire And Rescue Department,
Coimbatore-18, Coimbatore District.

5.The Revenue Divisional Officer,
Coimbatore South, Coimbatore.

6.The Tahsildar,
Sulur Taluk, Coimbatore District.

7.The Superintendent of Police,
Coimbatore District, Coimbatore.

8.The Regional Manager,
M/s.Hindustan Petroleum Corporation
Ltd., Coimbatore Regional Office,
HP House, No.18/3, Big Bazaar
Street, Coimbatore-641 001

9.BALADHANDAPANI
S/o.Palanichamy,
Door No.11/1, Balasundaram Veethi,
Kamathenu Nagar (West),
K.R.Puram, Coimbatore.

10.B.Gousik
S/o.P.Baladhandapani, Door No.11/1,
Balasundaram Veethi,
Kamathenu Nagar (West) K.R.Puram,
Coimbatore.

Respondent(s)

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned No objection Certificate issued



WP No.19279 of 2025

by the 3rd respondent in R.Dis. No.22182 / 2019/ J1 dated 29.11.2019 and quash the same as illegal and consequently direct the above 2nd respondent to institute appropriate legal actions against the respondents 3, 8 to 10 by cancelling the approval granted in favour of the respondents 8 to 10 to establish a petroleum fuel station at Survey No.329/4, Kannampalayam, Sulur Taluk, Coimbatore District

For Petitioner : Mr.B.N.Raja Mohamed

For Respondents : M/s.B.Sudhir Kumar, SPC For R1
M/s.Karthik Jeganath
Govt Advocate, for R2 to R6.
Mr.R.Muniyapparaj,
Additional Public Prosecutor, For R7
Mr.Mohammed Fayaza Ali, For R8

ORDER

(Order of the Court was made by Sunder Mohan J.)

The petition filed as a Public Interest Litigation challenges the No Objection Certificate issued by the 3rd respondent to grant licence under the Petroleum Rules, 2002 [hereinafter referred to as '**the Rules**'] to the 8th respondent herein to store petroleum products.

2. Though notices to some of the respondents have not been served and the learned counsel for the 8th respondent seeks time to file reply, we propose to dispose of this writ petition on the basis of the counter affidavit filed on behalf of the 3rd respondent.



WP No.19279 of 2025

WEB COPY

3. According to the learned counsel for the petitioner, the impugned No Objection Certificate issued by the 3rd respondent to the 8th respondent, to store petroleum products in the premises belonging to the respondents 9 and 10, is in violation of Rules 131 and 102 of the Rules, since there are High Tension Electricity Wires and Electrical Transformers within the site of the petroleum fuel station.

4. During the course of argument, the learned counsel for the petitioner was unable to say as to how Rule 131 of the Rules was violated. The said rule does not prohibit or prescribe any restriction with regard to erection of a transformer or laying a High Tension Electricity Wire near a Petroleum Fuel station.

5. Rule 102 of the Rules reads as follows:

“Save as provided in this Chapter, no electric wiring shall be installed and no electric apparatus shall be used in any refinery, installation, storage shed, service station or in any other place where petroleum is refined, blended, stored, loaded or unloaded.”



WP No.19279 of 2025

WEB COPY

6. The counter filed by the 3rd respondent would state that the said Rule only prohibits electrical lines passing over the petroleum fuel station and that the low tension electric wire was passing along side the road in front of the proposed site and not passing over the petroleum fuel station.

7. The writ petition has been filed based on a reply obtained by the petitioner in an RTI application filed by him. Even in that reply there is nothing to indicate that a high tension electric wire runs across the land wherein the petroleum fuel station is situated. That apart the reply states that a transformer is situated 15 meters away from the land.

8. In fact in the counter filed by the 3rd respondent there is a reference to the circular issued by the Petroleum Explosives Safety Organisation on 02.01.2025, that electric transformer can be allowed in one corner of ingress or egress of the retail outlet and that the transformer shall be segregated with industrial type fencing.



WP No.19279 of 2025

WEB COPY

9. Thus, it is seen that the location of the petroleum fuel station does not violate any of the rules pointed out by the petitioner. That apart, the impugned No Objection Certificate was issued in the year 2019 and even according to the petitioner, no untoward incident has been reported so far.

10. In such circumstances, we do not see any merit in this petition and accordingly, the writ petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ.)(SUNDER MOHAN, J.)
26.08.2025

Index : Yes/No
Neutral Citation : Yes/No

ars



WP No.19279 of 2025

WEB COPY

- To
1. The Joint Chief Controller of Explosives,
Ministry Of Commerce And Industry,
Petroleum And Explosives, Safety Organization (PESO) A and D-Wing
Block 1-8 II nd Floor Shastri Bhavan,
26 Haddous Road, Nungambakkam,
Chennai-600 006.
 - 2.The District Collector,
Coimbatore District, Coimbatore.
 - 3.The District Revenue Officer,
Coimbatore District, Coimbatore.
 - 4.The District Fire Officer,
Fire And Rescue Department,
Coimbatore-18, Coimbatore District.
 - 5.The Revenue Divisional Officer,
Coimbatore South, Coimbatore.
 - 6.The Tahsildar,
Sulur Taluk, Coimbatore District.
 - 7.The Superintendent of Police,
Coimbatore District, Coimbatore.
 - 8.The Regional Manager,
M/s.Hindustan Petroleum Corporation
Ltd., Coimbatore Regional Office,
HP House, No.18/3, Big Bazaar
Street, Coimbatore-641 001.



WEB COPY



WP No.19279 of 2025

THE HON'BLE CHIEF JUSTICE
AND
SUNDER MOHAN, J.

(ars)

WP No.19279 of 2025

26.08.2025