



W.P.No.19400 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.05.2025

CORAM :

THE HONOURABLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

and

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

W.P.No.19400 of 2025

and W.M.P.Nos.21652 and 12653 of 2025

M.Tamilselvan

... Petitioner

Vs.

1.The Central Pollution Control Board
Rep. by its Chairman
Parivesh Bhawan, East Arjun Nagar
New Delhi 110 032

2.The District Collector
District Collector Office
Nagapattinam District

3.The District Revenue Officer
District Collector Office
Nagapattinam District
Nagapattinam 611 003

4.The District Environment Engineer
Tamil Nadu Pollution Control Board
Nagapattinam 611 001

5.M/s.Bharat Petroleum Corporation Ltd.
(Southern Region) rep. by its State Head
/ Co-Ordinator (TN&P), No.1, Ranganathan Gardens
11th Main Road, Anna Nagar, Chennai 600 040

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6. The Joint Chief Controller of Explosives
A and D-Wing Block - 1 - 8, Second Floor
Shastri Bhavan, No.26, Haddows Road
Nungambakkam, Chennai 600 006

7. S. Sumathi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the 2nd respondent herein in No. 115/2023/2023, dated 17.04.2025 and quash the same and consequently, direct the 2nd respondent herein to consider the petitioner's representation dated 04.04.2025 and pass appropriate orders in accordance with guidelines dated 16.08.2021 issued by the 1st respondent.

For Petitioner : Mr. G. Jeremiah

For Respondents : Mr. K. Srinivasamurthy - R1 & R6
Mr. S. J. Mohammed Sathik - R2 & R3
Mr. V. Gunasekar - R4
Mr. O. S. Karthikeyan - R5

ORDER

(Order of the Court was made by *SENTHILKUMAR RAMAMOORTHY, J.*)

By this writ petition, the petitioner assails order dated 17.04.2025 of the 2nd respondent in relation to the fuel retail outlet proposed to be set up by the 7th respondent.



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2.Mr.K.Srinivasamurthy accepts notice for respondents 1 and 6, Mr.S.J.Mohammed Sathik, Government Advocate accepts notice for respondents 2 and 3, Mr.V.Gunasekar accepts notice for the 4th respondent and Mr.O.S.Karthikeyan accepts notice for the 5th respondent.

3.On instructions, learned counsel for the 5th respondent submits that an application for no objection has been filed by the 5th respondent before the 3rd respondent. He further submits that such application is pending consideration.

4.Since the application for no objection is pending consideration, at this juncture, it is not possible for the 7th respondent to establish and operate the retail fuel outlet. Therefore, the interest of justice would be satisfied if the petitioner is permitted to file objections in this regard before the 3rd respondent. Because the matter has not been examined on merits and no direction adverse to the 7th respondent is being issued, the writ petition is being disposed of without notice to the 7th respondent.



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5. Therefore, without going into the merits of the petitioner's objection, this writ petition is disposed of by directing the 3rd respondent to consider and dispose of the application of the 5th respondent dated 29.08.2024 after considering the objections of the petitioner and providing a personal hearing to the petitioner, the 5th respondent and the 7th respondent. The petitioner is directed to file such objections within a maximum period of one week from today. Such application shall be disposed of within three (3) months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

[S.K.R, J.]

[T.V.T.S, J.]

28.05.2025

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Neutral Citation

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