



W.P.Nos.26536, 28226 and 23321 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.26536, 28226 and 23321 of 2025

And

W.M.P.Nos.26201, 29829, 29830, 31660 and 40794 of 2025

C.S.Jayaraman & Co.,
A Partnership Firm,
Represented by its Managing Partner
Faslur Rahman ... Petitioner in W.P.26536/2025

Ramesh Kumar.N ... Petitioner in W.P.28226/2025

1.Prabhu . R
2.V.C.Palanisamy
3.Ramesh Kumar
4.Vijayalakshmi ... Petitioner in W.P.23321/2025

Vs.

- 1 THE JOINT CHIEF CONTROLLER OF EXPLOSIVES,
SOUTH CIRCLE, CHENNAI
PETROLEUM AND EXPLOSIVE SAFETY ORGANISATION (PESO)
A & D WING, BLOCK 1-8, 2ND FLOOR,
SASTRI BHAWAN,
NO.26, HADDOWS ROAD,
NUNGAMBAKKAM,
CHENNAI – 600 006.
- 2 THE DISTRICT REVENUE OFFICER – ERODE
DISTRICT COLLECTORATE COMPLEX,
STATE HIGHWAY, 96, OPP. DISTRICT COURT
PALLAPALAYAM.
ERODE DISTRICT – 638 001.



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3 THE DIVISION GENERAL MANAGER (RETAIL SALES)
M/S.INDIAN OIL CORPORATION LIMITED
COIMBATORE DIVISIONAL OFFICE
INDIAN OIL BHAWAN,
NO.8/1079, AVINASH ROAD,
COIMBATORE – 641 018

4 R.PRABHU
5 V.C.PALANISAMY
6 RAMESH KUMAR
7 VIJAYALAKSHMI ... Respondents in W.P.26536/2025

1 THE DISTRICT REVENUE OFFICER
ERODE DISTRICT,
COLLECTORATE COMPLEX,
STATE HIGHWAY 96,
OPP. DISTRICT COURT,
PALLAPALAYAM,
ERODE DISTRICT – 638 001.

2 THE DIVISIONAL GENERAL MANAGER (RETAIL SALES),
M/S.INDIAN OIL CORPORATION LIMITED,
COIMBATORE DIVISIONAL OFFICE,
INDIAN OIL BHAWAN,
NO.8/1079, AVINASHI ROAD,
COIMBATORE – 641 018.

3 C.S.JAYARAMAN & CO.,
DEALER – INDIAN OIL CORPORATION LTD.,
SATHY ROAD,
GOBICHETTIPALAYAM – 638 452
... Respondents in W.P.28226/2025

1 THE DIVISIONAL GENERAL MANAGER (RETAIL SALES),
M/s.INDIAN OIL CORPORATION LIMITED,
COIMBATORE DIVISIONAL OFFICE,
INDIAN OIL BHAWAN,
NO.8/1079, AVINASHI ROAD,
COIMBATORE – 641 018.



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2 C.S.JAYARAMAN & CO.,
DEALER – INDIAN OIL CORPORATION LTD.,
SATHY ROAD,
GOBICHETTIPALAYAM – 638 452.

... Respondents in W.P.23321/2025

Prayer in W.P.No.26536 of 2025:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the first respondent comprised in the order dated 05.06.2025 bearing Ref. No.P/SC/TN/14/1474 (P33943), quash the same as arbitrary, illegal, unconstitutional and consequently direct the first respondent to renew the license No.P/SC/TN14/1474 (P33943) for running petroleum retail outlet and renewal of dealership agreement by third respondent permitting the petitioner to continue the petroleum retail outlet service of C.S.Jayaraman and Co. at T.S.No.28 and 29, Old S.No.49/A, Erode-Sathy Main Road, Veerapandi Village, Gobichettipalayam Taluk, Erode District, subject to outcome of civil disputes with respondents 4 to 7.

Prayer in W.P.No.28226 of 2025:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the order in Na.Ka.No.17484/2024/C4 dated 03.07.2025 passed by the first respondent and quash the same and consequently direct the first respondent to cancel the No Objection Certificate No.KDis/12459/63 dated 12.02.1964 issued to the second respondent to operate the Petroleum Retail Outlet in Ward-A, Block-14, T.S.Nos.28 and 29, Old Survey No.49/A, Erode-Sathy Road, Gobichettipalayam Taluk,



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Gobichettipalayam, Erode District – 638 452, in accordance with the law regarding lawful possession of licensed premises.

Prayer in W.P.No.23321 of 2025:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to decommission and remove the underground tanks, pipelines, pumps and all other equipments / installations belonging to them from the delicensed Petrol Pump Premises situated in Ward-A, Block-14, T.S. Nos.28 and 29, Old Survey No.49/A, Erode District – 638 452, within a prescribed time limit.

For Petitioners : Mr.S.Ramesh
in W.P.No.26536 of 2025
Mr.V.B.R.Menon
in W.P.Nos.28226 & 23321 of 2025

For Respondents : Mr.B.Sudhirkumar for R1
SCGSC
Ms.P.Aishwarya for R2
Government Advocate
Mr.V.Anantha Natarajan for R3
in W.P.No.26536 of 2025

Ms.P.Aishwarya for R1
Government Advocate
Mr.Anandanatarajan for R2
Mr.V.Ramesh for R3
in W.P.No.28226 of 2025

Mr.V.Anantha Nadarajan for R1
Mr.S.Ramesh for R2
in W.P.No.23321 of 2025



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COMMON ORDER

W.P.No.26536 of 2025 has been filed seeking issuance of Writ of Certiorarified Mandamus calling for the records of the first respondent comprised in the order dated 05.06.2025 bearing Ref. No.P/SC/TN/14/1474 (P33943), quash the same as arbitrary, illegal, unconstitutional and consequently direct the first respondent to renew the license No.P/SC/TN14/1474 (P33943) for running petroleum retail outlet and renewal of dealership agreement by third respondent permitting the petitioner to continue the petroleum retail outlet service of C.S.Jayaraman and Co. at T.S.No.28 and 29, Old S.No.49/A, Erode-Sathy Main Road, Veerapandi Village, Gobichettipalayam Taluk, Erode District, subject to outcome of civil disputes with respondents 4 to 7.

2.W.P.No.28226 of 2025 has been filed seeking issuance of Writ of Certiorarified Mandamus to call for the records of the order in Na.Ka.No.17484/2024/C4 dated 03.07.2025 passed by the first respondent and quash the same and consequently direct the first respondent to cancel the No Objection Certificate No.KDis/12459/63 dated 12.02.1964 issued to the second respondent to operate the Petroleum Retail Outlet in Ward-A, Block-14, T.S.Nos.28 and 29, Old



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Survey No.49/A, Erode-Sathy Road, Gobichettipalayam Taluk, Gobichettipalayam, Erode District – 638 452, in accordance with the law regarding lawful possession of licensed premises.

3.W.P.No.23321 of 2025 has been filed seeking issuance of Writ of Mandamus directing the first respondent to decommission and remove the underground tanks, pipelines, pumps and all other equipments / installations belonging to them from the delicensed Petrol Pump Premises situated in Ward-A, Block-14, T.S. Nos.28 and 29, Old Survey No.49/A, Erode District – 638 452, within a prescribed time limit.

4.Since the issue involved in these writ petitions are interrelated, they are heard together and disposed of by way of a common order.

5.The learned counsel appearing for the petitioners in W.P.Nos.28226 and 23321 of 2025 submitted that the petitioners are the joint owners of the licensed premises where the Petroleum Retail Outlet was operated by the Indian Oil Corporation Limited until the explosive license was suspended on 28.02.2025. The petitioners



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6.The learned counsel appearing for the petitioners in W.P.Nos.28226 and 23321 of 2025 further submitted that Indian Oil Corporation Limited did not possess any valid lease deed and hence the petitioners made representation on 30.11.2024 to the District Revenue Officer to cancel the no objection certificate issued to Indian Oil Corporation Limited and since there was no response, filed W.P.No.2982 of 2025 and pursuant to the order of this Court dated 29.01.2025 made in the said writ petition, the District Revenue Officer conducted enquiry and passed the order impugned in W.P.No.28226 of 2025 rejecting the request of the petitioners.

7.The learned counsel appearing for the petitioners in W.P.Nos.28226 and 23321 of 2025 further submitted that in the meanwhile, the Joint Chief Controller of Explosives had suspended the



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final explosive licence issued to Indian Oil Corporation Limited vide order dated 28.02.2025 and subsequently, cancelled the final explosive licence vide order dated 05.06.2025. Even thereafter, Indian Oil Corporation Limited continues to occupy the premises and also did not pay any rent to the petitioners. Hence, the petitioners have filed W.P.No.23321 of 2025 seeking direction to Indian Oil Corporation Limited to decommission and remove the underground tanks, pipelines, pumps and all other equipments / installations belonging to them from the delicensed Petrol Pump Premises situated in Ward-A, Block-14, T.S. Nos.28 and 29, Old Survey No.49/A, Erode District – 638 452.

8.The learned counsel appearing for the petitioner in W.P.No.26536 of 2025 submitted that the petitioner is a partnership firm formed during the year 1972. The subject property was originally owned by one Vengubai Ammal and she leased out an extent of 28.58 cents of vacant land in the subject property to the petitioner for the purpose of running petrol bunk, on the strength of which, dealership was granted by the Indian Oil Corporation on 03.01.1972. Whiles, one B.M.Ramalingam, claimed to be the son of Vengubai Ammal and



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claimed title in respect of the property on the strength of unregistered Will and in the Will the property covered under the petrol bunk alone was dealt with and hence the petitioner filed a suit for declaration of title and for consequential relief in O.S.No.482 of 2022 which is pending on the file of the III Additional District Court, Gobichettipalayam, on the ground of adverse possession.

9.The learned counsel appearing for the petitioner in W.P. No.26536 of 2025 further submitted that the petitioner is ready to deposit a sum of Rs.1 Lakh towards monthly rent on or before 7th of every succeeding English Calender month to the credit of O.S.No.482 of 2022 on the file of the III Additional District Court, Gobichettipalayam. The learned counsel further submitted that this Court may, without going into the merits of the case and without prejudice to its rights, permit the petitioner to deposit the said amount and grant liberty to the petitioners in all the writ petitions to work out the remedy before the III Additional District Court, Gobichettipalayam in O.S.No.482 of 2022 and permit the succeeding party to withdraw the entire amount lying in the credit of O.S.No.482 of 2022. The learned counsel further prayed that if the petitioner succeeds in O.S.No.482 of 2022, the petitioner may be permitted to approach the



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authorities for extension of final explosive licence and for no objection certificate and further prayed that the petitioner may be permitted to remove the petroleum products from the subject property and that status quo as on date may be maintained.

10.The learned counsel appearing for the petitioners in W.P.Nos.28226 and 23321 of 2025 submitted that the petitioners in W.P.Nos.28226 and 23321 of 2025 will not do any business in the subject property and will maintain status quo as on date.

11.The learned counsel appearing for the Indian Oil Corporation Limited raise no serious objection.

12.In view of the consent view expressed on either side, this Court issues the following directions:

(i)The petitioners in all the writ petitions are directed to maintain status quo as on date.

(ii)The petitioner in W.P.No.26536 of 2025 is permitted to remove the petroleum products from the subject property, within a period of four weeks from the date of receipt of a copy of this order. Thereafter, neither the petitioner in W.P.No.26536 of 2025 nor Indian



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Oil Corporation Limited is entitled to store any petroleum products till the disposal of the suit in O.S.No.482 of 2022.

(iii)The petitioner in W.P.No.26536 of 2025 is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) towards monthly rent on or before 7th of every succeeding English Calender month to the credit of O.S.No.482 of 2022 on the file of the III Additional District Court, Gobichettipalayam.

(iv)Liberty is granted to the petitioners in W.P.Nos.26536, 28226 and 23321 of 2025 to work out the remedy before the III Additional District Court, Gobichettipalayam in O.S.No.482 of 2022.

(v)The III Additional District Court, Gobichettipalayam, is directed to decide the suit in O.S.No.482 of 2022, independently, without being influenced by any of the observations made in this order or in the impugned orders.

(vi)After the disposal of the suit in O.S.No.482 of 2022, the succeeding party is permitted to withdraw the entire amount lying in the credit of O.S.No.482 of 2022.

(vii)After the disposal of the suit in O.S.No.482 of 2022, if the petitioner in W.P.No.26536 of 2025 succeeds in O.S.No.482 of 2022, the petitioner is at liberty to approach the authorities for extension of final explosive licence and for no objection certificate.



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13.The writ petitions are disposed of with the above observations and directions. No costs. Consequently, connected miscellaneous petitions are closed.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1 THE JOINT CHIEF CONTROLLER OF EXPLOSIVES,
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PETROLEUM AND EXPLOSIVE SAFETY ORGANISATION (PESO)
A & D WING, BLOCK 1-8, 2ND FLOOR,
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M.DHANDAPANI,J.
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