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W.P. No.35636 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

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THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.35636 of 2025

M.Mahendran

... Petitioner

Vs.

1. The Joint Chief Controller Of Explosives,
Petroleum and Explosive Safety Organisation
(PESO) A And D Wing,
Block 1-8 2nd Floor, Shastri Bhavan,
26 Haddows Road,
Nungambakkam, Chennai 600 006.

2.M/s Bharat Petroleum Corporation Limited,
Rep By Its Chairman And Managing Director,
Bharat Bhavan, 4 and 6, Currimbhoy Road,
Ballard Estate,
Mumbai 400 001.

3.M/s Bharat Petroleum Corproation Limited,
Trichy Retail territory, 1st Floor,
Raj Towers, Near Kalainagar Arivalayam,
Karur Bye Pass Road,
Trichy.

4.The District Revenue Officer,
Office Of DRO,
Thiruvarur Collectorate Campus,
Thiruvarur.



W.P. No.35636 of 2025

5.The Superintending Engineer (H)
Construction And Maintenance,
No 888, TVS Tollgate,
Subramaniapuram,
Trichy 620 020

6.The Tamil Nadu Pollution Control Board
No.25 Developed Plots, Thuvakudy,
Trichy 620 015

7.The Central Pollution Control Board
Parvesh Bhawan,
East Arjun Nagar, Delhi 110 032

8.Muhammed Riyaz

9.Badhrul Jamaan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 7 herein to consider the representation of the petitioner dated 11.07.2025 and consequently directing the respondents to investigate and take appropriate actions, in accordance with the law and against the wrongful and negligent issuance of provisional site approvals and Final Explosive Licenses to the Petroleum Retail outlet in Thiruvarur District, Vishnupuram village, survey No 117/2A1 and 117/2B1.

For Petitioner : Mr.I.Jawahar

For Respondents : Mrs.S.Anitha,
Special Government Pleader for R4 & R5



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W.P. No.35636 of 2025

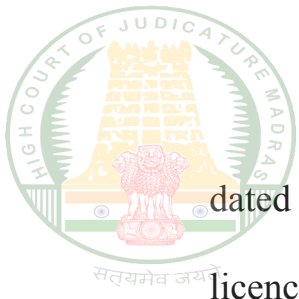


ORDER

Mrs.S.Anitha, learned Special Government Pleader accepts notice on behalf of respondents 4 and 5. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus to direct respondents 1 to 7 herein to consider his representation dated 11.07.2025 and to direct them to investigate and take appropriate actions, in accordance with law as against the wrongful and negligent issuance of provisional site approvals and Final Explosive Licenses to the Petroleum Retail outlet in Thiruvarur District, Vishnupuram village, survey No 117/2A1 and 117/2B1.

3.The case of the petitioner is that he is the native of Vilagam Village, Tiruvarur District and he came to know that the fuel pump is proposed to be set up at Tiruvarur District, Vishnupuram Village in Survey Nos.117/2A1 and 117/2B1, which are very well fall within 1/2 kilometer proximity to his native village and fall within the restricted zone, as outlined by CPCB guidelines for new petrol pump establishments vide its Office Memorandum



dated 07.01.2020. In this regard, respondents 8 and 9 have been granted licence to set up the fuel pump. Since the respondents 1 to 7 have failed to comply with the mandatory procedures and directions issued by this Court while issuing the licence to respondents 8 and 9, the petitioner is before this Court with the above prayer.

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4.Learned counsel for the petitioner would submit that only after proper verification, the licence ought to have been issued to respondents 8 and 9, but the respondents 1 and 2 have issued the same without following the due procedure prescribed under law. Therefore, the petitioner has made a representation dated 11.07.2025 to respondents 1 to 7 for taking appropriate actions. Since the same has not been considered by them, he is before this Court. Therefore, the learned counsel for the petitioner prays for appropriate orders.

5.Mrs.S.Anitha, learned Special Government Pleader appearing for R4 & R5, placing on record the proceedings dated 20.09.2025, would submit that the Highways Department had issued a Government Order in G.O. (Ms) No.25, Highways and Minor Ports (HNF2) Department dated



24.02.2022 setting out norms and conditions for issuing NOC for petroleum outlets by the Highways Department and that the Highways Department had also issued NOC for petroleum outlet mentioned in this writ petition, after site inspection by the Highways Department and after going through the application submitted by the respondents 8 and 9, who fulfilled all the obligations and conditions envisaged in the said Government Order.

6.It is seen from records that the petitioner is the native of Vilagam Village, Tiruvarur District. The respondents 8 and 9 have been granted licence to set up the fuel pump. According to the petitioner, the licence has been granted to them in violation of the norms prescribed by the Highways Department. Now, the learned Special Government Pleader appearing for R4 and R5 produced the proceedings dated 20.09.2025 stating that the Highways Department had issued a Government Order in G.O. (Ms) No.25, Highways and Minor Ports (HNF2) Department dated 24.02.2022 setting out norms and conditions for issuing NOC for petroleum outlets by the Highways Department and that the Highways Department had also issued NOC for petroleum outlet mentioned in this writ petition, after site inspection by the Highways Department. Since the license has been granted



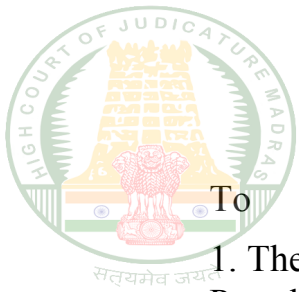
W.P. No.35636 of 2025

to respondents 8 and 9 after due verification by the official respondents, the prayer sought for by the petitioner cannot be granted by this Court.

Accordingly, this writ petition is dismissed. Liberty is granted to the petitioner to work out his remedy in the manner known to law. No costs.

22.09.2025

Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
vga



W.P. No.35636 of 2017

To

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Petroleum and Explosive Safety Organisation
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WEB COPY



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