



W.P.No.33667 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2025

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.33667 of 2024
and W.M.P.No.36445 of 2024

V.B.R.Menon

.. Petitioner

v

- 1 The Secretary
Ministry of Commerce and Industry
Vanijya Bhawan, No.16, Akbar Road
Sunehri Bagh Road Area
Motilal Nehru Marg
New Delhi - 110 011.
- 2 The Chief Controller of Explosives,
Petroleum and Explosives Safety Organisation (PESO)
A-Block, CGO Complex, 5th Floor
Seminary Hills, Nagpur-440 006.
- 3 The Secretary
Ministry of Petroleum and Natural Gas
Shastri Bhawan, Dr.Rajendra Prasad Road
New Delhi - 110 001.

.. Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct respondents to frame and issue appropriate rules/notification/circulars under the Petroleum Act, 1934 and the Explosives Act, 1884 to ensure that the initial grant and subsequent renewals of all types of Final Explosive Licenses by the 2nd respondent to the Licensees, for storage and handling of explosive materials such as Petroleum products, LPG, CNG, etc., shall be issued only after the verification and satisfaction about the lawful possessory titles of the Applicants over the licensed premises for the entire period for which the Final Explosives Licenses are sought to be granted or renewed.

For Petitioner : Mr.V.B.R.Menon
Party-in-person

For Respondents : Mr.K.Srinivasamurthy
Senior Panel Counsel for
Central Government

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Various grounds have been raised in this petition, particularly with regard to issuance of explosive licenses for running petroleum/LPG/CNG retail outlets, without ascertaining whether the applicants have lawful possession over the licensed premises or, even if they had, whether they continue to have lawful possession during the license period.



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2. Mr.Srinivasamurthy states that the petition has only bald allegations with not even one instance where respondent No.2, in particular, has issued explosive license even when the licensed premises was not lawful.

3. Mr.Menon states he has thousands of such instances and if he is given an opportunity to meet the officer concerned in the office of respondent No.2, he will be only too happy to demonstrate the instances of issuance of explosive licenses for running Petroleum/LPG/CNG retail outlets in premises which are not lawful.

4. In our view, the petition can be disposed of with a direction to respondent No.2 to identify an officer in his office, whom Mr.Menon can meet and explain the situation. The authority should consider this as a non-adversarial litigation and take remedial measures, if it is found necessary.

5. Mr.Srinivasamurthy is directed to inform Mr.Menon by way of written communication within three weeks from today identifying the



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person to be met and the date and time of appointment. The date and time shall be communicated at least five working days in advance.

6. Petition is disposed of accordingly. There shall be no order as to costs. Consequently, interim application is closed.

(K.R.SHRIRAM, C.J.)

(SENTHILKUMAR RAMAMOORTHY, J.)

09.01.2025

Index : Yes/No

NC : Yes/No

sasi

To:

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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY, J.

(sasi)

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