



W.P.(MD).No.2007 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.2007 of 2025

J.Prakash Pandian,
S/o K.D.Jeyaraman,
Proprietor of M/s.Guna HP Gas Gramin Vitrak,
No.13-3-45A, Aladipatti, Pannaikadu,
Kodaikanal Taluk, Dindigul,
Now Residing at No.381,
27th Street, 6th Sector,
K.K.Nagar, Chennai.

... Petitioner

Vs.

- 1.The Deputy Director,
Town and Country Planning,
No.14, Vivekanandha Nagar,
Dindigul.
- 2.The Executive Officer,
Pannaikadu Town Panchayat,
Kodaikanal Taluk,
Dindigul.
- 3.The Joint Controller of Explosives,
Petroleum and Explosives Safety Organisation,
Shastri Bhavan,
No.26, Haddows Road,
Nungambakkam, Chennai.



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4.The Chief Regional Manager,
Hindustan Petroleum Corporation Limited,
Madurai LPG Regional Office,
No.171-172, Sidco Industrial Estate,
Kappalur, Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 2nd respondent to process petitioner's application pending in SWP/BPA/0220719/2024 dated 10.05.2024 based on the communication of the 1st respondent in proceedings vide Na.Ka.No. 2837/2024/ Thi.Maa.4 dated 28.10.2024 and approve petitioner's application.

For Petitioner	: Mr.K.K.Udayakumar
For R-1	: Mr.S.Kameswaran, Government Advocate
For R-2	: Mr.D.Sadiq Raja, Additional Government Pleader
For R-3	: Mr.Ashok Kumar, Central Government standing counsel
For R-4	: Mr.R.J.Karthick, Standing counsel

ORDER

By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.



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2.This writ petition is filed to direct the 2nd respondent to process the petitioner's application pending in SWP/BPA/0220719/2024 dated 10.05.2024 based on the communication of the 1st respondent in proceedings vide Na.Ka.No. 2837/2024/ Thi.Maa.4 dated 28.10.2024 and approve the petitioner's application.

3.Heard the learned counsels on either sides and carefully perused the materials available on record.

4.It is needless to point out that whenever an application of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the application made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

5.Without going into the merits of this case, this Court hereby direct the 2nd respondent to process the petitioner's application bearing



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SWP/BPA/0220719/2024 dated 10.05.2024 and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.

6.With the above directions, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

24.01.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

Sml

To

1.The Deputy Director,
Town and Country Planning,
No.14, Vivekanandha Nagar,
Dindigul.

2.The Executive Officer,
Pannaikadu Town Panchayat,
Kodaikanal Taluk,
Dindigul.

3.The Joint Controller of Explosives,
Petroleum and Explosives Safety Organisation,
Shastri Bhavan,
No.26, Haddows Road,
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4.The Chief Regional Manager,
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L.VICTORIA GOWRI, J.

Sml

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