



W.P(MD)No.8730 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2025

CORAM

THE HONOURABLE MS.JUSTICE **P.T.ASHA**

Writ Petition(MD)No.8730 of 2022

and

W.M.P(MD)No.6372 & 11729 of 2022 & 23735 of 2025

Confidence Petroleum India Pvt. Ltd.,
Rep. by its Territory Manager,
No.95/3, Melur Main Road,
Uthangui Village,
Madurai.

..Petitioner

Vs

1.The Commissioner of Police,
Madurai City,
Commissioner Office,
Alagarkovil Road,
Madurai.

2.Grace Thangam

3.The Joint Controller of Explosives,
A and D Wing, Block 1-8,
2nd Floor Shastri Bhavan,
26, Haddous Road,
Nungambakkam,
Chennai.

(R3 is impleaded vide court order dated 26.09.2025 in
WMP(MD)No.8986 of 2022)

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorarified Mandamus to call for the
records pertaining to the impugned temporary suspension of No Objection
Certificate dated 16.09.2021 made in C.No.16079/V2/69/2021 passed by



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the 1st respondent, quash the same, further direct the 1st respondent to send a recommendation letter to Petroleum And Explosives Safety Organization Office, Chennai.

For Petitioner : Mr.S.Ramu
For Respondents : Mr.S.Prakash
Govt. Advocate (Crl. Side) (for R1)
Mr.T.Sakthikumaran (for R2)

ORDER

The writ petition has been filed challenging the order dated 16.09.2021 passed by the first respondent temporarily suspending the No Objection Certificate (NOC) granted to the petitioner for operating an Auto LPG Dispensing Station. The petitioner has also sought a consequential direction to the first respondent to forward a recommendation to the Petroleum and Explosives Safety Organization (PESO) for renewal of licence.

2. The learned counsel for the petitioner submitted that the petitioner has been operating the LPG dispensing station since the year 2015 after obtaining all requisite statutory approvals. It was contended that the impugned suspension of the No Objection Certificate was ordered solely on the basis of a private land dispute raised by the second respondent. It was further submitted that the dispute relating to title and possession of the property is purely civil in nature and is presently pending adjudication



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before the Revenue Divisional Officer and, therefore, such pendency cannot constitute a valid ground for suspending the No Objection Certificate.

3. The learned counsel appearing for the second respondent submitted that the petitioner had obtained the No Objection Certificate by producing fraudulent land documents and that serious disputes relating to title, as well as criminal proceedings, are pending in respect of the subject property.

4. The learned Government Advocate (Criminal Side) appearing for the first respondent justified the impugned suspension on the ground of pendency of civil dispute and alleged lapses in the lease documentation submitted by the petitioner.

5. I have carefully considered the rival submissions advanced on either side and perused the materials available on record.

6. The power of the first respondent to issue or suspend a No Objection Certificate is confined to considerations relating to public safety and compliance with statutory requirements. Such authority does not extend to adjudicating disputes relating to title or boundary, which fall exclusively within the domain of the competent civil courts or revenue authorities. The dispute raised by the second respondent pertains to ownership and extent of land and is admittedly pending before the Revenue



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Divisional Officer. Mere pendency of such proceedings cannot, by itself, constitute a valid ground for suspending the No Objection Certificate. The petitioner has produced the registered lease deed, encumbrance certificate and other documents as called for by the first respondent. Significantly, the impugned order of suspension does not record any finding regarding threat to public safety or violation of statutory safety norms under the Explosives Act or the Rules framed thereunder. Administrative authorities cannot indirectly determine civil rights by suspending statutory permissions on the basis of unresolved private disputes.

7. In view of the above, the impugned order of temporary suspension of the No Objection Certificate dated 16.09.2021 made in C.No. 16079/V2/69/2021 is arbitrary and unsustainable in law and is liable to be set aside. Accordingly, this writ petition is allowed and the temporary suspension of the No Objection Certificate dated 16.09.2021 is set aside. It is open to the second respondent to establish her title and rights before the competent civil forum in the manner known to law. No costs. Consequently, connected miscellaneous petitions are closed.

17.11.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn



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P.T.ASHA, J.

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