



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

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THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

**WP CrI. No. 918 of 2025
& WPMP CrI. 430 of 2025**

M/s.Neoko Industries Private Limited,
A Company incorporated under the provisions of
the Companies Act, Rep. by its Authorised
Signatory Mr.K.S.Thanigainathan, Having its
office at No.18, Ramanashree Arcade, Unit No.119
& 120, M G Road, Bangalore – 560 001.

..Petitioner(s)

Vs

1. The Union of India,
Rep. by Junior Chief Controller of Explosives,
Petroleum & Explosives Safety Organization,
Ministry of Commerce and Industry,
A & D - Wing, Block 1-8,
II Floor, Shastri Bhavan,
26, Haddous Road,
Nungambakkam, Chennai - 600 006.
2. The Tamil Nadu Pollution Control Board,
Rep. by its Member Secretary,
No.76, Mount Salai,
Guindy, Chennai - 600 032.
3. The Executive Engineer,
Zone 5, Egmore Division,
Greater Chennai Corporation,
Chennai - 600 008.
4. The Assistant Executive Engineer,
Unit-14, Zone - V,
Greater Chennai Corporation,
No.2, Adhikesavalu Street,
Chintadripet, Chennai - 600 002.



5. The Tahsildhar,
Egmore Taluk,
Office of the Tahsildhar,
Egmore, Chennai – 600 008.

6. The District Officer,
Tamil Nadu Fire & Rescue Services
Department, Central Chennai District,
Kilpauk, Chennai - 600 010.

7. The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai - 600 007.

..Respondent(s)

Prayer: This Writ Petition (Criminal) is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, calling for records comprised in the proceedings of the 7th Respondent bearing Rc.No.E3(1)/03/955/2025 dated 16.04.2025 and quash the same and consequently direct the 7th Respondent to issue a No-Objection Certificate for installation of an Auto LPG Dispensing Station with 10 KL Storage at Old Survey No.863/2, New Survey No.863/3, Block No.40, Door No.3, New Door No.14 (Subdivision6), Whannels Road, Egmore, Chennai – 600 008, within a specified time frame fixed by this Court.

For Petitioner(s):

Mr.Muthucharan Sundaresh

For Respondent(s):

Mrs.P.J.Anitha,
Special Panel Counsel for R1

Mr.V.Gunasekar,
Standing Counsel for R2

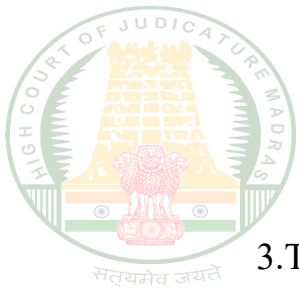
Mr.R.Ganesh Kumar,
Counsel for Government of Tamil Nadu
(Criminal Side) for RR5 to 7

**ORDER**

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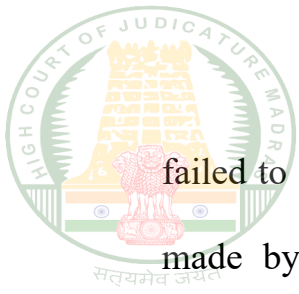
This Writ Petition is filed challenging the proceedings of the seventh respondent dated 16.04.2025 rejecting the request made by the petitioner for issuance of No Objection Certificate for installation of an Auto LPG Dispensing Station with 10 KL Storage at Old Survey No.863/2, New Survey No.863/3, Block No.40, Door No.3, New Door No.14 (Subdivision6), Whannels Road, Egmore, Chennai – 600 008.

2.The case of the prosecution is that the petitioner company is engaged in the business of petroleum products viz. automotive and industrial gas, liquified petroleum gas (LPG) services including importing, storing, supplying and marketing LPG, automotive grade LPG, etc. While being so, a property measuring 5,400 sq.ft., consisting of 90 feet width along with 60 feet length, situated at Old Survey No.863/2, New Survey No.863/3, Block No.40, Door No.3, New Door No.14 (Subdivision6), Whannels Road, Egmore, Chennai – 600 008, owned by one F.Muthuwappa, was leased out in favour of the petitioner, for the purpose of starting an Auto LPG Dispensing Station, vide lease agreement dated 24.10.2024.



3. Thereafter, the petitioner approached the third respondent vide letter dated 07.11.2024 seeking for an Approach Road NOC for the Auto Gas LPG Station. Thereafter, the fourth respondent vide letter dated 13.11.2024 informed the petitioner that Whannels Road approaching the above said premises is maintained by the Greater Chennai Corporation and that planning permission should be obtained from GCC. The fourth respondent had also confirmed that there was no proposal for local development planning including buildings, schools, hospitals and ensuring other mitigating measures. Thereafter, the petitioner had also obtained a No Objection Certificate dated 04.12.2024 from the Tamil Nadu Fire & Rescue Services Department/sixth respondent for installation of Auto LPG Dispensing Station with 10 KL Storage in the above mentioned premises. Finally, the petitioner applied for No Objection Certificate from the seventh respondent for installation of Auto LPG Dispensing Station. However, the seventh respondent rejected the request of the petitioner for issuance of No Objection Certificate by order dated 16.04.2025. Challenging the same, the present Writ Petition has been filed.

4. The learned counsel for the petitioner submits that the impugned order is unreasonable and is in violation of Article 14 of the Constitution of India, since all the parties concerned verified the subject place, issued No Objection Certificate and also issued planning permission. Further, the seventh respondent



failed to give any personal hearing to the petitioner before rejecting the request made by the petitioner for issuance of No Objection Certificate. There is absolutely no reason mentioned in the order impugned in this Writ Petition. The reasons stated by the seventh respondent are also vague. He further submits that near the said place already there is a petroleum product outlet run by the Indian Oil Corporation. Therefore, there is no impediment for the seventh respondent to issue No Objection Certificate.

5. The seventh respondent has filed a counter. Mr.R.Ganesh Kumar, learned Counsel for Government of Tamil Nadu appearing on behalf of the respondents 5 to 7 submits that the Writ Petition itself is not maintainable and that there is an appeal remedy available for the petitioner against the order passed by the seventh respondent under the Static and Mobile Pressure Vessels (Unfired) Rules, 2016 (hereinafter referred to as SMPV(U) Rules, 2016). He would also submit that in the approval granted by the Petroleum & Explosives Safety Organization (“PESO”), the organisation stipulates that after installation of the facilities as per the approved drawings, the petitioner may submit the following documents for the grant of licence in Form LS-1A under the SMPV(U) Rules, 2016.

6.It is further submitted that as per Rule 47 of the SMPV (U) Rules, 2016, the grant of a No Objection Certificate (NOC) by the District Authority is a



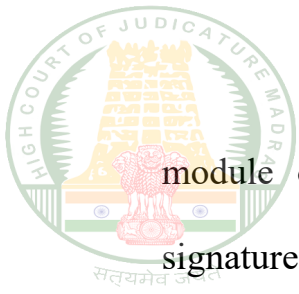
mandatory precondition before any final licence can be issued by the PESO.

Therefore, the Rule casts a statutory obligation upon the District Authority to verify and ensure that the proposed installation does not pose any risk to the public, adjoining properties, or essential infrastructure.

7. Considered the submissions made on either side and perused the materials available on record.

8. A perusal of the order impugned reveals that the seventh respondent rejected the request made by the petitioner for issuance of No Objection Certificate for the reason that the proposed location is found to be unsuitable due to safety concerns and that the site is situated in a high-density public zone, in close proximity to a marriage hall, the State Bank of India, Albert Theatre, a Corporation School, and a bus stop, all of which involve significant public-gatherings. However, the photograph produced by the learned counsel for the petitioner reveals that next to Albert Theatre in the said location, there is an outlet of Indian Oil Corporation, which is also situate in a high-density zone.

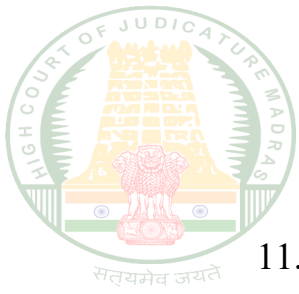
9. Further, as per Clause 6 of the approval granted by Petroleum & Explosives Safety Organization (PESO), No Objection Certificate issued under Rule 47 of the SMPV(U) Rules, 2016 as per the prescribed proforma by the District Authority through Licensing System for District Authority (LSDA)



module only, together with a copy of drawings/plans endorsed with his signature and seal. Though it finally requires a No Objection Certificate of the

seventh respondent, the petitioner fulfilled all other conditions in respect of public safety concerns. Further, the petitioner has complied with all the statutory requirements for grant of No Objection Certificate for installation of Auto LPG Dispensing Station in the above mentioned property.

10. The fourth respondent by its letter dated 13.11.2024 had informed that Whannels Road approaching the subject property is maintained by the Greater Chennai Corporation and for constructing the Auto LPG Dispensing Station, planning permit should be obtained from the Greater Chennai Corporation. The fourth respondent had also informed the petitioner that there was no proposal for local development planning including buildings, schools, hospitals and ensuring other mitigating measures. Further, it is seen that the, the Tamil Nadu Fire & Rescue Services Department/sixth respondent also issued No Objection Certificate to the petitioner on 04.12.2024. The Petroleum & Explosives Safety Organization (“PESO”)/first respondent had also granted initial approval to the petitioner for constructing the Auto LPG Dispensing System vide the communication dated 27.02.2025 under SMPV(U) Rules, 2016. Therefore, there is no impediment for the seventh respondent for issuance of No Objection Certificate to the petitioner.



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11. In view of the above, the impugned order dated 16.04.2025 is set aside and the seventh respondent is directed to issue No Objection Certificate to the petitioner for installation of an Auto LPG Dispensing Station with 10 KL Storage at Old Survey No.863/2, New Survey No.863/3, Block No.40, Door No.3, New Door No.14 (Subdivision6), Whannels Road, Egmore, Chennai – 600 008, within a period of two (2) weeks from the date of receipt of a copy of this order.

12. Accordingly, the Writ Petition is allowed. Consequently, WPMP CrI. No.430 of 2025 is closed.

03-06-2026

TSG

Note: Issue order copy on 08.06.2026

To

1. The Union of India,
Rep. by Junior Chief Controller of
Explosives, Petroleum & Explosives Safety
Organization, Ministry of Commerce and
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WP CrI. No. 918 of 2



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