



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.03.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.33679 of 2025
and
W.M.P.(MD)Nos.26588 & 26590 of 2025

M.Surya

... Petitioner

Vs.

- 1.The Joint Chief Controller Of Explosives,
South Circle Block 1-8,
Shastribhavan No.26,
Haddows Road Nungambakkam,
Chennai- 600 006.
- 2.The Principal Secretary Government,
Revenue and Disaster Management,
Ezhilagam, Chennai- 600 005.
- 3.The District Collector,
Collector Office,
Ramanathapuram District.
- 4.The Superintendent of Police,
Ramanathapuram District,
Pincode-623503.
- 5.The District Revenue Officer,
Ramanathapuram District,
Pincode-62350.



WEB COPY

6.The Divisional Retail Head,
Indian Oil Corporation No.2 Racecourse Road,
Chokkikulam, Madurai- 625 002.

7.The District Officer,
Fire and Rescue Services Department,
Sivagangai District,
Ramanathapuram District- 623503.

8.The Divisional Engineer,
National Highways,
Virudhunagar- 626001

9.The Assistant Executive Engineer PWD,
Pattinamkattan, Ramanathapuram- 623 503.

10.S.Mohan

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the Impugned license No.COL.REV/62598/2022-C2, Dated 27.09.2024 issued by 5th Respondents and to quash the same and direct the 5th respondent to remove the construction of petrol bunk NH 230, New No. NH 85 (CK Mangalam to Thiruvadanai Road), Ramanathapuram District made by 10th respondent.

For Petitioner	: Mr.K.K.Udhayakumar for S.Veeraraghavan
For Respondents	: Mr.J.Ashok (RR1 to 3, 5, 7 to 9) Additional Government Pleader Mr.M.Mahaboob Athiff (R6) Mr.V.R.Shanmuganathan (R10) Mr.J.Ashok Mr.K.Sanjay Ghandhi (R4) Government Advocate



WEB COPY



ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

This writ petition has been filed challenging the license granted by the fifth respondent to the fifth respondent to install a petrol bunk in the subject property.

2.It is the grievance of the petitioner that the license was granted without following specific guidelines issued by the Central Pollution Control Board. Further, there is a water channel and canal adjacent to the bunk. The location is also surrounded by a Government School, Marriage Hall and Multi-care Hospital. The prescribed safety and distance norms under the National Highway Authorities of India guidelines and the Petroleum and Explosives Rules, have not been followed by the petitioner. Hence, he seeks to cancel the license issued by the fifth respondent.

3.The learned counsel for the tenth respondent filed counter affidavit stating that pursuant to the advertisement dated 25.11.2018 issued by the Indian Oil Corporation, he has submitted an application on



WEB COPY

13.12.2018. Subsequently, the Indian Oil Corporation, vide proceedings dated 18.08.2022 issued a proceedings to offer a retail outlet dealership. Thereafter, letter of appointment was issued on 31.01.2025.

4.Further, the tenth respondent has objected to the submission that PWD water channel is situated adjacent to the petrol bunk and there is violation of guidelines. He has obtained necessary permission from fire and safety department and other concerned department before issuance of NOC and license. He has also obtained permission from the National Highways Authority to access permission for construction of the culvert and approach road for the new outlet vide letter dated 04.09.2025.

5.The learned counsel for the tenth respondent further submitted that all the guidelines have been strictly followed and thorough inspection has been made. Only thereafter, the license has been issued subject to the condition that bridge must be built by the applicant for enabling free flow of rain water between the site selected fro petrol/diesel bunk and the road and that Additional Safety precautions as specified by 'PESO' shall be strictly followed by the applicant. Hence, he seeks to dismiss this writ petition.



WEB COPY

6. Heard the learned counsel appearing on either side and perused the materials placed on record.

7. The grievance of the petitioner is that the subject petrol bunk is situated within a restricted radius of the existing petrol bunk. However, a perusal of the typed set of papers reveals that the said petrol bunk is located at a distance of 80 meters from the existing bunk. The licence issued to the tenth respondent clearly stipulates that all additional safety precautions, as prescribed by PESO, shall be strictly adhered to by the applicant. Therefore, merely because certain residential houses, which appear to have been constructed subsequently, are in close proximity to the subject bunk, it cannot be held that there is any violation in its entirety.

8. Further, it is seen that the petitioner is also operating a petrol bunk within a radius of one kilometre from the proposed outlet. This fact itself indicates the absence of any genuine public interest, and it appears that the writ petition has been filed with an ulterior personal motive, in an attempt to prevent the tenth respondent from establishing a new petrol outlet.



WEB COPY

9. In such view of the matter, we do not find any merits in this writ petition. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[N.S.K., J.] & [M.J.R., J.]
25.03.2026

Index : Yes/No
Internet : Yes
ta

To

1. The Joint Chief Controller Of Explosives,
South Circle Block 1-8,
Shastribhavan No.26,
Haddows Road Nungambakkam,
Chennai- 600 006.

2. The Principal Secretary Government,
Revenue and Disaster Management,
Ezhilagam, Chennai- 600 005.

3. The District Collector,
Collector Office,
Ramanathapuram District.

4. The Superintendent of Police,
Ramanathapuram District,
Pincode-623503.

5. The District Revenue Officer,
Ramanathapuram District,
Pincode-62350.

6. The Divisional Retail Head,



WEB COPY

Indian Oil Corporation No.2 Racecourse Road,
Chokkikulam, Madurai- 625 002.

- 7.The District Officer,
Fire and Rescue Services Department,
Sivagangai District,
Ramanathapuram District- 623503.
- 8.The Divisional Engineer,
National Highways,
Virudhunagar- 626001
- 9.The Assistant Executive Engineer PWD,
Pattinamkattan, Ramanathapuram- 623 503.



WEB COPY



**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

ta

W.P.(MD)No.33679 of 2025

25.03.2026