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W.A.No.SR 69101 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,  
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

CMP No.5884 of 2026  
and WA SR No.69101 of 2025

K.Bharathidass  
S/o.K.Kanagasabai,  
No.34, Ariyanattu Chathira Street,  
Parangipettai, Cuddalore District.

Appellant(s)

Vs

1. Union of India  
Ministry of Petroleum and Natural Gas,  
Shastri Bhavan, New Delhi - 110 001.
2. The Collector  
Cuddalore District, Cuddalore.
3. The Additional District Magistrate  
and Additional Collector (Revenue)  
Cuddalore District.
4. The Divisional Engineer  
(Construction an Maintenance)  
Beach Road, Highways Department,  
Cuddalore.



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5. Petroleum Explosive and Safety Organisation  
A B Wing, Block 1-8 second Floor,  
Shastri Bhavan, Nungambakkam, Chennai.

6. Hindustan Petroleum Corporation Limited  
Trichy Regional Office (Retail), Second Floor,  
MDSR Enclave, Bharatidasan Road,  
Trichy - 602 001.

7. P.R.B.Fuel Port  
Rep. by its Prop. B, Karthik,  
27 Agaram Puthupettai, Parangipettai-608502,  
Bhuvanagiri (Tk)., Cuddalore Dist.  
*[Accept the cause title application has been  
filed, but is dismissed by this judgment]*

Respondent(s)

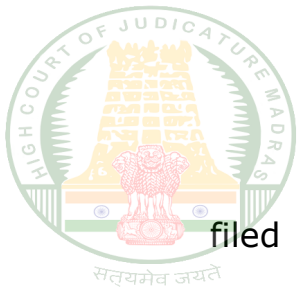
PRAYER in CMP No.5884 of 2026: Petition filed under Section 151 of the CPC read with Article 226 of the Constitution of India to accept the cause title in the appeal.

PRAYER in WA No.SR 69101 of 2025: Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 15.10.2024 passed in W.P.No.25633 of 2022.

For Appellant(s): Mr.Tulesh Balaji  
for Mr.Surya Teja Nalla

JUDGMENT  
(Delivered by the Hon'ble Chief Justice)

Assailing the order dated 15.10.2024 passed by the learned Single Judge, the unsuccessful writ petitioner has filed this appeal. Along with the appeal, which is yet to be numbered, the appellant



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filed an application to accept the cause title by arraying the proposed seventh respondent as party to the appeal, as it is claimed that based on the No-objection Certificate (NOC) issued by the third respondent and the license granted by the fifth respondent, the retail outlet has become operational.

2. Before advertng to the merits of the appeal, it needs to be noted that the appellant had earlier filed a writ petition, styled as public interest litigation, being W.P.No.24321 of 2022, which was dismissed by order dated 9.9.2022. The relevant portion of the said order reads thus:

***"The public interest litigation has been filed to challenge the NOC given by the District Collector in favour of the Hindustan Petroleum Corporation Limited to open a retail outlet in the land in question.***

*2. Challenge to NOC has been made on the ground that it was given in violation of IRC Guidelines. But, before we enter into the issue, learned counsel for the petitioner was asked to show the element of public interest if the fuel station is housed in the land in question. The question aforesaid was asked in reference to paragraph*



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4.2 of the affidavit. **The petitioner has disclosed the fact that his family runs a fuel station in Agaram Village and he runs a fuel station in Killai Village, pursuant to the licenses issued by the Bharat Petroleum Corporation Limited.** Further, he is a Member of the Cuddalore District Petroleum Dealers Association. **Thus, this petition turns out to be a personal interest litigation instead of public interest litigation, as his family is involved in the same business.**

3. **The platform of public interest litigation cannot be allowed to settle personal scores.** Thus, we do not find this writ to be maintainable as public interest litigation, in the light of the Page 3 of 5 W.P.No.24321 of 2022 disclosures made by the petitioner about himself and his family. Accordingly, this writ petition is dismissed. There will be no order as to costs. Consequently, WMP Nos.23318, 23314 and 23320 of 2022 are also dismissed."

*[emphasis supplied]*

3. Pursuant to the dismissal of the aforesaid public interest litigation, the appellant herein filed W.P.No.25633 of 2022, seeking an identical relief as sought in the public interest litigation. The



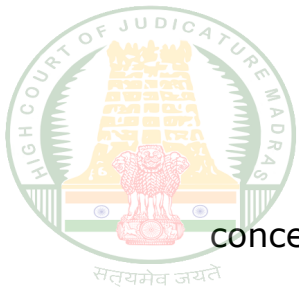
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learned Single Judge, vide order impugned in this appeal, dismissed the writ petition by holding thus:

*"3. Heard both sides and perused the materials placed on record. As rightly pointed out by the learned counsel for the respondents, on perusal of the writ petition in W.P.No.24321 of 2022, it can be seen that the petitioner had already filed the writ petition with the very same relief as sought for in the writ petition. **The First Bench of this Court had dismissed the writ petition on the ground that the petition is not maintainable as it turns out to be a personal interest litigation instead of public interest litigation, as his family is involved in the same business. It is also to be seen that the First Bench had not granted liberty to file a fresh petition, however, contrary to the Order of this Court, the present writ petition is filed. According to this Court, this writ petition is not maintainable per se and the same stands dismissed.** No costs. Consequently, connected miscellaneous petitions are closed."*

*[emphasis supplied]*

4. A litigant cannot be permitted to test the waters through a public interest litigation, and upon failing due to unmasked personal business motives, turn around and file an identical private writ petition to achieve the same oblique end. The petitioner candidly



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concedes that his family is engaged in the identical business and that he operates a shop directly opposite the retail outlet in question. Notably, the petitioner has failed to challenge the consequential grant of the license itself. It is well-settled that the competent authorities are best placed to evaluate whether a retail outlet complies with the governing statutory rules. In the absence of a direct challenge to those specific proceedings, or a clear demonstration of any rule violations, we are of the considered view that the learned Single Judge rightly dismissed the subsequent writ petition.

5. The earlier order of the Division Bench dated 09.09.2022 concluded the matter against the appellant regarding the challenge to the NOC. Filing a subsequent writ petition for the identical relief without such liberty being granted is a textbook example of forum-shopping and an abuse of the judicial process.

6. In our considered opinion, the present appeal is nothing but an extension of the appellant's persistent attempt to block a business competitor using the machinery of the court. We find



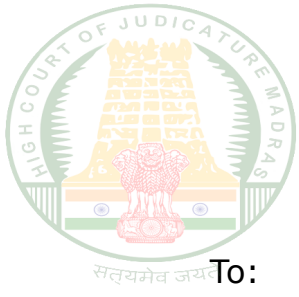
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absolutely no infirmity or illegality in the order passed by the learned Single Judge.

7. Accordingly, the writ appeal is dismissed at the SR stage as completely non-maintainable. Since the appeal itself is found to be wholly non-maintainable and an abuse of the process of the court, no useful purpose will be served in amending the cause title. Accordingly, CMP No.5884 of 2026 is dismissed. There shall be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)  
24.06.2026

Index : Yes/No  
Neutral Citation : Yes/No  
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To:

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THE HON'BLE CHIEF JUSTICE  
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