

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 18TH DAY OF SEPTEMBER 2015/27TH BHADRA, 1937

WP(C).No. 20498 of 2015 (J)

PETITIONER(S):

**MANJU K.K., AGED 36 YEARS,
W/O. RENJITH C.V., THADATHIL HOUSE,
DIVYA NAGAR-42, PATTATHANAM P.O.,
CHEMMAMUKKU JUNCTION, KOLLAM - 691 021.**

**BY ADVS.SRI.T.S.HARIKUMAR
SRI.RAAJESH S.SUBRAHMANIAN**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
COLLECTORATE, KOLLAM - 691 013.**
- 2. OIL CORPORATION LIMITED,
TRIVANDRUM DIVISIONAL OFFICE, GROUND FLOOR,
PREMIER PARK, INCHAKKAL BYE PASS ROAD,
VALLAKKADAVU P.O., THIRUVANANTHAPURAM - 695 008,
REPRESENTED BY CHIEF DIVISIONAL RETAIL SALES MANAGER.**
- 3. THE DISTRICT SUPPLY OFFICER,
KOLLAM - 691 001.**

**R1 & R3 BY GOVERNMENT PLEADER SRI.GIKKU JACOB
R2 BY SRI.M.GOPIKRISHNAN NAMBIAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
18-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 20498 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1-TRUE PHOTOSTAT COPY OF THE NOTICE ISSUED BY THE
2ND RESPONDENT DATED 24/12/2014.**

**EXHIBIT-P2-TRUE PHOTOSTAT COPY OF THE LETTER OF INTENT ISSUED BY THE
2ND RESPONDENT DATED 23/02/2015.**

**EXHIBIT-P3-TRUE PHOTOSTAT COPY OF THE NO OBJECTION CERTIFICATE ISSUED
BY THE 1ST RESPONDENT DATED 29/05/2015.**

**EXHIBIT-P4-TRUE PHOTOSTAT COPY OF THE ORDER OF THE 1ST RESPONDENT
DATED 26/06/2015.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.20498/2015**

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Dated this the 18th Day of September, 2015

J U D G M E N T

The petitioner challenging Exhibit P4 order of the District Collector has approached this Court. By Exhibit P4 order, no-objection certificate issued to the petitioner to establish a new petrol pump has been suspended. The reason stated in that is that the petrol pump is not financially viable.

2. This Court is of the view that such a finding is beyond the power vested with the District Collector. Further, the District Collector has no power to review decision of issuance of no-objection certificate based on this ground. In that view of the matter, Exhibit P4 is set aside.

The writ petition is disposed of as above. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

ms