

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.02.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.27116 of 2013 &
M.P.Nos. 1 of 2013 & 1 of 2014

V.Karkuzhali .. Petitioner
Vs.

1.The District Collector
Villupuram District
Villupuram.

2.The Revenue Divisional Officer
Kallakurichi, Villupuram.

3.The Tahsildar
Kallakurichi, Villupuram.

4.The Deputy Superintendent of Police
Kallakurichi, Villupuram.

5.S.Kannan ..Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus to direct the respondents 1 to 4 not to allow the fifth respondent to establish a Kerosene Godown near the petitioner's School situated at Amman Nagar, Kachirapalayam Road, Kallakurichi, Villupuram District.

For Petitioner : Mr.T.P.Prabakaran

For Respondents : Mr.S.Gunasekaran-R1 to R4
Govt. Advocate

Mr.R.N.Amarnath - R5

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.Heard Mr.T.P.Prabakaran, learned Counsel appearing for the petitioner, Mr.S.Gunasekaran, learned Counsel appearing for the

respondents 1 to 4 and Mr.R.N.Amarnath, learned counsel for fifth respondent.

3.The petitioner seeks for issuance of a writ of mandamus to direct the respondents 1 to 4 not to allow the fifth respondent to establish a Kerosene Godown near the petitioner's School situated at Amman Nagar, Kachirapalayam Road, Kallakurichi, Villupuram District.

4.The learned counsel for the petitioner submitted that the petitioner is running a Nursery and Primary School at Amman Nagar, Kallakurichi and it is stated that 350 children are studying. The learned counsel further submits that the petitioner has obtained permission for running the school vide Government Registration NO.0141/05 and they are running the School and the petitioner is aggrieved by the proposal to establish a wholesale kerosene godown by the fifth respondent near the school premises. In this regard, the petitioner has submitted a representation to the respondents 1 to 4 on 13.7.2013, followed by further reminders on 22.7.2013. Further, the learned counsel has referred to the public agitation which was reported in Tamil Daily dated 23.7.2013 in front of the Collectorate.

5.In the light of the above facts, there will be a direction to the ***Second** respondent **/**District Revenue Officer, Villupuram** to consider the petitioner's objection and direct the officials to conduct sport inspection to assess the situation as to whether the complaint given by the petitioner is germane or not. Before passing any orders, ***Second** respondent~~/**The District Revenue Officer, Villupuram~~ shall hear the petitioner as well as the fifth respondent and thereafter proceed in accordance with law. The above exercise shall be completed within a period of three weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Asst.Registrar

18.2.2015

*Corrected as per the Order of this

Court dated 17.3.2015

**Corrected as per the order of this Court dated 10.4.2015 and made in

M.P.NO.1 of 2015 in W.P,No.27116 of 2013

Sd/-

Assistant Registrar

25.3.2015

/true copy/

Sub Asst. Registrar

rpa

To

1.The District Collector
Villupuram District
Villupuram.

|*to be substituted
|to the order already
|despatched on
|2.3.2015 and made in
|W.P.No.27116 of 2013
|

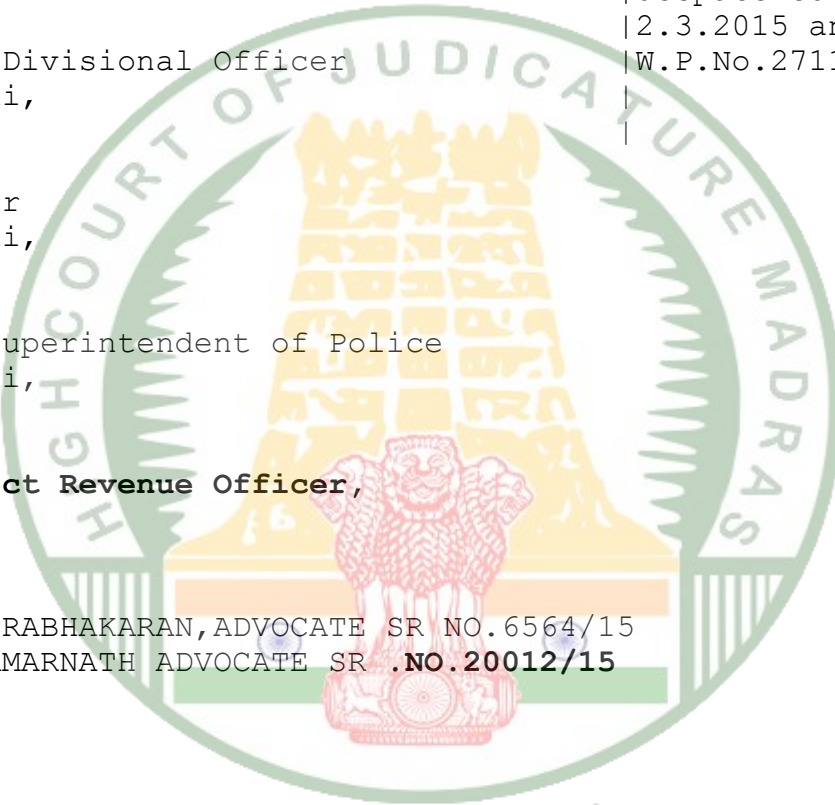
2.The Revenue Divisional Officer
Kallakurichi,
Villupuram.

3.The Tahsildar
Kallakurichi,
Villupuram.

4.The Deputy Superintendent of Police
Kallakurichi,
Villupuram.

****5.The District Revenue Officer,
Villupuram**

+1 cc MR.T.P.PRABHAKARAN,ADVOCATE SR NO.6564/15
+1 CC MR.R.N.AMARNATH ADVOCATE SR .NO.20012/15



सत्यमेव जयते

W.P. No.27116 of 2013

KGK[CO]
RD 21/02/2015

pmk.13.4.2015

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