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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.1030 of 2013

1.V.Murugan
2.Ramakrishnan
3.S.Kalimuthu
4.S.Murugan

... Petitioners

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

3.The Revenue Divisional Officer,
Tenkasi,
Tirunelveli District.

4.Bharat Petroleum Corporation Limited,
Rep by its Manager,
No.37, Tiruparankundram Road,
Pasumalai, Madurai 625 004.

5.M.Ramaiah

6.R.S.Mahadevan

(R-6 impleaded as respondent
vide order dated 12.08.2015
in M.P(MD)No.3 of 2013)

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the Respondents 1 to 3 to restrain the Respondents 4 and 5 from opening a petroleum retail outlet on the Ambasamudram Tirunelveli State Highway opposite to Arulmighu Oyikkadu Sudalaimadasamy Temple at Azad Nagar Tenkasi Taluk Tirunelveli District based on the Petitioners representations dated 28.05.2012 and 24.12.2012.

For Petitioner : Mr.Ananth C.Rajesh

For Respondents 1-3 : Mr.A.K.Baskarapandian,
Special Government Pleader.

For 4th Respondent : Mr.S.Natesh Raja

<https://hcservices.ecourts.gov.in/hcservices2> For 5th Respondent : No appearance

For 6th Respondent : Mr.T.Antony Arul Raj



ORDER

(Order of the Court was made by R.SUDHAKAR,J.)

This writ petition has been filed to direct the respondents 1 to 3 to restrain the respondents 4 and 5 from opening a petroleum retail outlet on the Ambasamudram-Tirunelveli State Highways opposite to Arulmighu Oyikkadu Sudalaimadasamy Temple at Azad Nagar, Tenkasi Taluk, Tirunelveli District based on the petitioners representations dated 28.05.2012 and 24.12.2012.

2.When the matter came up for hearing, learned counsel for the sixth respondent produced a copy of the no objection certificate issued by the District Revenue Officer, dated 04.04.2012 and submitted that the District Revenue Officer has given no objection certificate imposing conditions and the first condition was that the storage outlet should be closed for a period of one week at the time celebration of "Uikattu Sudalaimadasamy Koil Kodai festival". He would further submit that as per the said condition, the storage outlet will be closed during the celebration of Uikattu Sudalaimadasamy Koil Kodai festival.

3.Recording the said submission made by the learned counsel for the sixth respondent, the writ petition is disposed of. No costs. Consequently, M.P(MD)No.2 of 2013 is closed.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 3.The Revenue Divisional Officer,
Tenkasi,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to Mr.Ananth, C.Rajesh, Advocate SR.No.45827
+1 cc to Mr.S.Natesh Raja, Advocate SR.No.46124
+1 cc to Mr.T.Antony Arulraj, Advocate SR.No.46218
+1 cc to Special Government Pleader SR.No.46324