

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.10.2016

CORAM

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P. No.5948 of 2013
and M.P.No.1 of 2013

S.Hashnitha

.. Petitioner

Vs

1.The District Collector
District Collector's Office
Dharmapuri.

2.The District Revenue Officer,
Dharmapuri-5.

3.The Senior Regional Manager
Retail R.O.,
Hindustan Petroleum Corporation Ltd.,
HP House, 18/3, Big Bazaar Street,
Coimbatore-641 001.

4.The Divisional Engineer
State Highways Department
Dharmapuri.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus to direct the respondents not to issue any No Objection Certificate for the proposed fuel station to be located opposite to my petrol bunk situate in No.5/1161, Senthil Nagar, Salem Main Road, Dharmapuri, in violation of the guidelines for access location and layout of road side fuel stations and service stations issued by Indian Roads Congress in IRC.12-2009.

For Petitioner : M/s.P.Valliappan

For Respondents : Mr.R.Govindasamy
Spl.GP for R1, R2 and R4.
Mr.O.R.Santhanakrishnan for R3.

ORDER

Heard both sides.

2. Mr.P.Valliappan, learned counsel appearing for the petitioner seeks a direction forbearing the respondents not to issue any NOC for the proposed fuel station to be located opposite to the petitioner's petrol bunk in No.5/1161, Senthil Nagar, Salem Main Road, Dharmapuri in violation of the guidelines for access location and layout of road side fuel stations and service stations issued by Indian Roads Congress in IRC : 12-2009.

3. Mr.O.R.Santhanakrishnan, learned counsel appearing for the third respondent submitted that even prior to filing of this writ petition NOC was granted by the District Collector/first respondent on 10.01.2013. Subsequently, the Corporation applied for Explosive License with the Explosive and Safety Organisation and the same was granted on 11.09.2013 and the retail outlet was commissioned on 06.09.2013.

4. Mr.Govindasamy, Special Government Pleader representing for the respondents 1, 2 and 4, also filed counter affidavit affirming the above said position.

5. In view of the grant of NOC and commissioning of retail outlet, the prayer sought for in the writ petition needs no further adjudication.

6. In the result, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

tsh

Sd/-
Assistant Registrar (J)
/TRUE COPY/
Sub-Assistant Registrar

To
1.The District Collector
District Collector's Office
Dharmapuri.

2.The District Revenue Officer,
Dharmapuri-5.

3.The Senior Regional Manager
Retail R.O.,
Hindustan Petroleum Corporation Ltd.,
HP House, 18/3, Big Bazaar Street,
Coimbatore-641 001.

4.The Divisional Engineer
State Highways Department
Dharmapuri.

+1CC to MR.P.VELLIAPPAN Advocate SR.NO.59935
+1CC to MR.O.R.SANTHANAKRISHNAN Advocate SR.NO.59761
+1CC to THE GOVT PLEADER SR.NO.30178

W.P.No.5948 of 2013.

VD[CO]
MK:04/11/2016



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