

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.33284 of 2016

T.Velu

.. Petitioner

Vs.

1. The District Collector
Collector Office
Thiruvarur.
2. The Tashildar
Taluk Office
Thiruvarur.
3. Bharat TVS Company
No.1A/9, Naagai Bye-Pass Road
Vijayapuram, Thiruvarur - 610 001.
4. Bharat Petroleum Ltd.
Southern Regional Officer
No.1, Ranganathan Garden
4th Main Road, Anna Nagar
Chennai - 600 040.

5. Vinayagamoorthy

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the first respondent to consider and pass orders on the representation of the petitioner dated 8.8.2016 for the removal of Petrol Bunk filling station, viz., Bharat TVS Company, at No.1A/9, Naagai Bye-pass Road, Vijayapuram, Thiruvarur - 610 001.

For Petitioner

: Ms.S.Pandimadevy

For Respondents

: Mr.M.K.Subramanian
Government Pleader
for respondents 1 and 2

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The petitioner alleges that the petrol bunk sought to be established by respondents 3 to 5 is in breach of the Planning Criteria for Location of Petrol Filling Stations and is being located on poramboke land.

2. On the other hand, the learned Government Pleader states that the allotment has been made to them after due consideration and the work has been going on for the last 4½ years.

3. Insofar as the allegation of violation of the Planning Criteria for Location of Petrol Filling Stations is concerned, the first respondent may have to look into that issue. The rights of any so-called respondents would only arise if there are pattas issued in their favour. If no pattas have been issued and people have occupied the land, then the Collector will be possibly required to take action to remove the persons from the poramboke land for which no pattas have been issued to ensure safety vis-a-vis the petrol bunk.

The petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.28756 of 2016 is closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To:

1. The District Collector
Collector Office
Thiruvarur.

2. The Tashildar
Taluk Office
Thiruvarur.

+1 cc to M/s.Pandimadevi,advocate,sr.53791

+1 cc to Govt.Pleader,sr.54037.

ssk(c)
krd 29/9

W.P.No.33284 of 2016