

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.34719 OF 2016

ORDER:

The petitioner prays for the following relief:

“...”WRIT OF MANDAMUS" declare the inaction of the respondent in not taking action in issuing no-objection certificate for 5th respondent to establish oil retail outlet of IX 15 KLMS(PETROL) and IX 20 KLHSD(DIESEL) at Veeravasaram under the dealership of the petitioner is illegal, arbitrary against the provisions of the Petroleum Act and Rules, violation of Articles 14, 19 (i), (g) and 21 of the Constitution of India consequently direct the respondents to issue no-objection certificate basing on the application filed by the 5th respondent dated 1.08.2015...”

On 17.10.2016, the writ petition was adjourned to enable the learned counsel appearing for respondents to get instructions. At the time of hearing, the counsel for respondents 3 and 4 submits that the 2nd respondent is the competent authority to take a decision on the application filed by petitioner. As matter of fact, the report is already sent to 2nd respondent for a decision on application dated 01.08.2015. The grievance of the petitioner is against inaction. Keeping in view the stand of respondents 3 and 4, I am satisfied the writ petition can be disposed of by this order.

a) Respondents 3 and 4 are directed to consider the application as per the existing procedure, forward the report copy to 2nd respondent. The 2nd respondent is directed to pass orders on application dated 01.08.2015 within four weeks from the date of

receipt of a copy of this order.

The petitioner is given liberty to submit the copy of the order to 2nd and 3rd respondents within one week from today for timely disposal.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

S. V. BHATT, J

Date: 14.11.2016
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