

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2017

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND

The HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.18993 of 2017

Sathish Kumar

... Petitioner

vs.

- 1.The District Revenue Officer,
Dharmapuri District,
Collectorate Building,
Salem Main Road,
Dharmapuri - 636 705.
- 2.The Tahsildar,
Harur Taluk Office,
SH - 18, Harur,
Dharmapuri District - 636 903.
- 3.The Divisional Engineer,
(Construction and Maintenance)
Highways Department,
Opposite Collectorate,
Dharmapuri - 636 705.
- 4.The Deputy Director,
Tamil Nadu Government Public
Health and Family Welfare,
Health Department,
Collectorate Campus,
Dharmapuri - 636 705.
- 5.The District Fire Officer,
Tamil Nadu Fire and Rescue Service,
71/180, Nedumaran Nagar,
Dharmapuri - 636 701.

6.The Superintendent of Police,
O/o. the Superintendent of Police,
Salem Main Road,
Dharmapuri - 636 705.

7.M/s.Hindustan Petroleum Corporation Limited,
Chennai Retail Regional Office,
Petro Bhavan - 2nd Floor,
New No.82, Old No.47, TTK Road,
Alwarpet, Chennai - 600 018.

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the first respondent to consider and dispose of the petitioner's representation dated 10.07.2017, after offering a personal hearing, while disposing the application for NOC by the seventh respondent to set up a New Road-side Petrol/Diesel retail outlet at S.No.48/1C, Tambai Village, Harur Taluk, Dharmapuri District - 636 906.

For Petitioner : Mr.V.B.R.Menon

For Respondents : Ms.Vasudha Thiagarajan
Addl. Government Pleader
for respondents 1 to 6

ORDER

(Order of the Court was made by M.Sundar, J.)

Subject matter of this writ petition is a proposed petrol/diesel retail outlet at Survey No.48/1C, Thambai Village, Harur Taluk, Dharmapuri District - 636 906.

2. According to the writ petitioner, the proposed site is objectionable as it is too proximate to a school. In this regard, the writ petitioner has sent a representation dated 10.07.2017 to the authorities, including respondent No.1 before us i.e., the District Revenue Officer, Dharmapuri District, Salem Main Road, Dharmapuri-636 903.

3. In the light of the prayer in the writ petition, today when the matter is taken up for hearing, Mr.V.B.R.Menon, learned counsel appearing on behalf of the writ petitioner submits that it would suffice if there is a direction to respondent No.1 before us i.e., the District Revenue Officer, Dharmapuri District to consider and pass

orders on the above said representation dated 10.07.2017 (found at page Nos.22 to 25 of the typed set of papers together with a topo sketch within a time frame.

4. We have also heard Ms.Vasudha Thiagarajan, learned Additional Government Pleader, who accepts notice on behalf of respondent Nos.1 to 6, particularly respondent No.1, who fairly submits that there can no serious opposition to this writ petition in the light of the limited prayer that has been sought for.

5. We direct respondent No.1/District Revenue Officer, Dharmapuri to dispose of the aforesaid representation dated 10.07.2017 sent by the writ petitioner within a period of four weeks from the date of receipt of a copy of this order in a manner known to law, after putting all concerned on notice and after affording adequate opportunity to all concerned.

6. The writ petition is disposed of in terms aforesaid. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To:

1.The District Revenue Officer,
Dharmapuri District,
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Dharmapuri - 636 701.

6.The Superintendent of Police,
O/o. the Superintendent of Police,
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Dharmapuri - 636 705.

+ 1 CC to Government Pleader SR NO 54319

+ 1 cc TO Mr.V.B.R.Menon, Advocate sr no 53802

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gp/4.8.



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