



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.24917 of 2016
and
W.M.P (MD) No.18014 of 2016

R.Sivaramaganesh .. Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The District Revenue Officer,
Thoothukudi.

3.The Regional Manager,
Bharat Petroleum Corporation Ltd.,
No.1, Ranganathan Gardens,
11th Main Road, Anna Nagar,
Chennai - 600 040.

4.Muthukrishnan .. Respondents

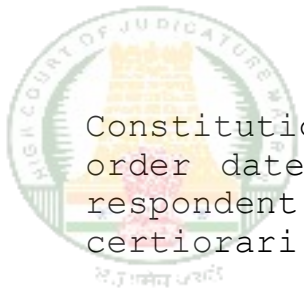
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the records relating to the proceedings of the second respondent in Na.Ka.C1/14472/16 dated 09.12.2016 and quash the same.

For Petitioner : Mr.R.Balakrishnan

For Respondents 1 and 2 : Mr.D.Muruganandam,
Additional Government Pleader.

For Respondent No.3 : Mr.R.Babu Rajendran

For Respondent No.4 : Mr.J.C.Rathinavel Pandian



Constitution of India praying to call for records relating to the order dated 09.12.2016 passed in Na.Ka.C1/14472/16 by the second respondent and quash the same, by way of issuing a writ of certiorari.

2. It is averred in the petition that the petitioner is a resident of Asirvathapuram, Sathankulam, Thoothukudi District. Further it is averred in the petition that in respect of Survey No.177/1A3A2, the second respondent has given permission to the fourth respondent to start a petrol bunk. Further it is stated in the petition that a hospital is running near the said survey number. Under the said circumstances, the present writ petition has been filed for getting the relief sought therein.

3. The learned counsel appearing for the petitioner has advanced his argument on the basis of averments made in the writ petition.

4. The learned counsel appearing for the third respondent has contended to the effect that the petitioner has been running a Hindustan Petrol bunk and further the second respondent after getting proper report from the concerned authority has rightly passed the impugned order and the same is not liable to be quashed.

5. The learned Additional Government Pleader appearing for the respondents 1 and 2 has also contended to the effect that the second respondent after getting proper reports from various authorities has rightly passed the impugned order and the same is not liable to be quashed.

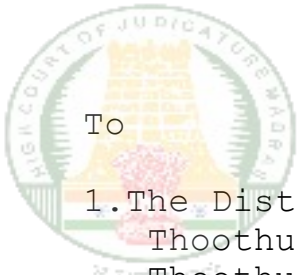
6. In fact this Court has perused the impugned order, wherein it has been clearly stated that the second respondent has obtained necessary No Objection Certificates from various departments and subsequently passed the impugned order.

7. Considering the fact that the second respondent after obtaining necessary certificates from various departments has passed the impugned order, this Court is of the view that the present writ petition is totally unwarranted and the same is liable to be dismissed.

8. In fine, this writ petition is dismissed without costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-
Assistant Registrar(RTI)

/True copy/



To

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The District Revenue Officer,
Thoothukudi.

+1cc to Mr.J.C.Rathnavel Pandian, Advocate Sr.No.4398

+1cc to Mr.Babu Rajendran, Advocate sR.No.4124

+1cc to special Government Pleader, Sr.No.4478

smn

sm:RSK:6.2.2017:3P/6c

ORDER MADE IN
W.P (MD) No.24917 of 2016
and
W.M.P (MD) No.18014 of 2016