

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.4354 of 2019

Sri Bharathi Agencies,
Indian Oil Dealer,
Subramania Puram,
N.H.7 Road, Thimmapuram-PO,
Kaveripattinam,
Krishnagiri-TK & Dist-635112.
Represented by its Manager,
S.Murali Babu

....Petitioner

Vs.

1. The District Collector,
Krishnagiri,
Krishnagiri District.
2. The District Revenue Officer,
Krishnagiri,
Krishnagiri District.
3. The Tahsildar,
Krishnagiri,
Krishnagiri District.
4. ESSAR Oil Limited,
5th Floor, Chennai House,
7 Esplande, Chennai-108,
Tamil Nadu.
Represented by its Manager
Regional/Territory.

....Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 to 3 not to permit the 4th respondent to open any retail outlet or issuing dealership to any person within the radius of 1000 meters distance of the petitioner's retail outlet situated at Subramania Puram, N.H.7 Road, Thimmapuram-PO,

Kaveripattinam-635112, Krishnagiri-TK & Dist as per the Indian Road Congress guidelines by considering the representation of the petitioner dated 28.01.2019.

For Petitioner : Mr.T.Venkatesan
For Respondents : Mr.J.Purushothaman
Government Advocate for R1 to 3

O R D E R

Mr.J.Purushothaman, learned Government Advocate takes notice for the respondents 1 to 3. Since this writ petition is being disposed of without affecting the interest of the fourth respondent in any manner, notice to the said respondent is dispensed with.

2. Heard both sides.

3. The petitioner seeks for a mandamus directing the respondents 1 to 3 not to permit the 4th respondent to open any retail outlet or issue dealership to any person within the radius of 1000 meters distance from the petitioners' retail outlet situated at Subramania Puram, N.H.7 Road, Thimmapuram-PO, Kaveripattinam-635112, Krishnagiri-TK & District, by considering their representation dated 28.01.2019.

4. The grievance of the petitioner before this Court is that the said representation has not been considered by the respondents so far.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the second respondent to consider and decide the same on merits and in accordance with law. Accordingly, this writ petition is disposed of, only by directing the second respondent to consider the representation dated 28.01.2019 and pass orders on the same on merits and in accordance with law, more particularly, the relevant guidelines governing the case, within a period of eight weeks from the date of receipt of a copy of this order, after affording opportunity of hearing to the petitioner as well as the fourth respondent. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Krishnagiri,
Krishnagiri District.
2. The District Revenue Officer,
Krishnagiri,
Krishnagiri District.
3. The Tahsildar,
Krishnagiri,
Krishnagiri District.

+1cc to Mr.T.Venkatesan, Advocate, S.R.No.14292

+1cc to the Government Pleader, S.R.No.14631

W.P.No.4354 of 2019

GJII (CO)
GSP (20/02/2019)



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