

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.1.2019

CORAM

THE HONOURABLE DR.JUSTICE VINEET KOTHARI
AND
THE HONOURABLE Dr.JUSTICE ANITA SUMANTH

W.P.No.691 of 2017
and
W.M.P.No.11058 of 2017

V.B.R.Menon B.E. (Mech) Petitioner

Versus

- 1 The Secretary to Union of India
Ministry of Petroleum and Natural Gas
Shastri Bhawan New Delhi-110001
- 2 The Secretary to Government
of Tamilnadu Fort St. George
Secretariat Chennai-600009
- 3 The Additional Chief Secretary to
Government of Tamil Nadu
High ways & Minor Ports Department
Fort St. George Secretariat
Chennai-600009
- 4 The Director General of Police
No.1 Dr.Radhakrishnan Salai
Near Light House Mylapore
Chennai-600004

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the Respondents to comply with the guidelines contained in the Indian Road Congress (IRC) Circular No.12 : 2009 for the issuance of No Objection Certificate for site approvals of Road-side Petroleum outlets by Oil Marketing Companies (OMC) within the State of Tamilnadu.

For petitioner : Party in person

For R1 : Mr.S.Makesh,
Additional Central Government
Standing Counsel

ORDER

(Order of the court was made by Dr.VINEET KOTHARI, J.)

The writ petition was filed by the petitioner in Public Interest for seeking a direction to the respondents to comply with the guidelines contained in the Indian Road Congress (IRC) Circular No.12 : 2009 for the issuance of No Objection Certificate for site approvals of Road-side Petroleum outlets by Oil Marketing Companies (OMC) within the State of Tamilnadu.

2. The petitioner has also filed a memo in this court today alongwith Exhibit 2 viz., Memo No.4751/Contracts-1/2018, dated 5.4.2018 in which the Chief Engineer of construction and Maintenance of Highways Department of the State has clarified that for issuance of No Objection Certificate for Road side Petroleum Retail Outlets by Oil Marketing Companies (OMCs) or any other Agency in respect of Government Highways Roads (i.e.,) State Highways, State Highways Urban, Major District Roads, Other District Roads, Other District Roads (Sugarcane Roads), the guidelines issued by IRC 12-2009 shall be strictly followed for passing orders. The earlier Circular issued vide Exhibit 1 dated 5.4.2018 itself gave the guidelines only for the Government Highways not including the other District Roads, etc.

3. Since a clarification has been issued by the Department concerned, the prayer made in the writ petition stands granted by the respondent. Therefore, we are of the view that no further direction is necessary in the present PIL writ petition. Accordingly, it is closed. No order as to costs. The connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

ssk.

To:

- 1 The Secretary to Union of India
Ministry of Petroleum and Natural Gas
Shastri Bhawan New Delhi-110001
- 2 The Secretary to Government
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3 The Additional Chief Secretary to
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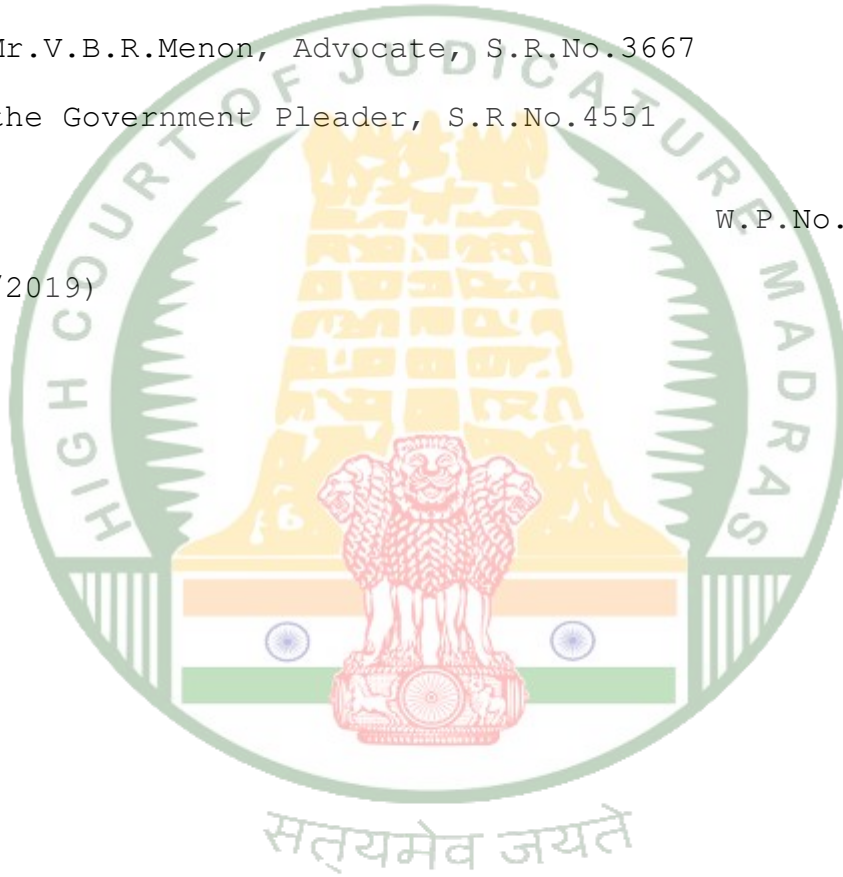
+1 cc to Mr.S.Makesh, Advocate, S.R.No.4151

+1 cc to Mr.V.B.R.Menon, Advocate, S.R.No.3667

+1 cc to the Government Pleader, S.R.No.4551

SSI (CO)
SSM(14/02/2019)

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