



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.6492 of 2019
and
W.M.P.(MD) No.5189 of 2019

1.M.George

... Petitioner

-VS-

- 1.The General Manager,
Hindustan Petroleum Corporation Ltd.,
Thazhamuthunataraja Building,
Gandhi Irwin Salai,
Chennai.
- 2.The Senior Regional Manager Ltd.,
Hindustan Petroleum Corporation Ltd.,
No.7, III Floor, Rakesh Building,
By pass Road, Madurai.
- 3.The Chief Controller of Explosives
Petroleum and Explosives Safety
Organization,
No.261, Virudhunagar Road, Sivakasi,
Virudhunagar District.
- 4.The Sales Officer,
Hindustan Petroleum Corporation Ltd.,
C/o.Shankar Petroleum,
Opp to Collectorate,
Nagercoil, Kanyakumari District.
- 5.The District Collector,
Kanyakumari District,
Nagercoil.

6.Sharolyn David

... Respondents

PRAYER: Petition is are filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, forbearing the respondents 1 to 5 not to put up the petrol bunk allotted to 6th respondent opposite of C.S.I.Home Church, Karumavilai Karungal, Kanyakumari



District and consider the petitioner's representation dated 15.12.2018 and 02.03.2019.

For Petitioner :Mr.S.Ramakrishnan

For Respondents :Mr.Sridhar, for RR1,2 and 4

Mr.A.K.Baskarapandian, Spl.G.P. for R5

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O R D E R

[Order of the Court was made by N.KIRUBAKARAN, J.]

It is disheartening to note that the petitioner is seeking an order not to open a petrol bulk opposite to a place of worship.

2.If TASMAC shop is to be located, then there is some justification for the petitioner to approach this Court. Merely because, a place of worship is there and there cannot be a barrier or obstruction for opening a petrol bulk, absolutely there is no merit in this writ petition. The alleged petrol bulk will no way affect the location even during the peak hours. Probably, at the instance of someone else, this writ petition has been filed and absolutely there is no justification. The petitioner makes use of his religion only to prevent these kinds of facilities being given to the people.

3.The learned counsel appearing for the 2nd and 4th respondents would submit that the petrol bulk outlet was already opened on 28.02.2019 and it is being run.

4.In these circumstances, this Court finds no merit in this case and this writ petition is dismissed as abuse of process of law. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Kanyakumari District,
Nagercoil.

+1cc to Mr.D.Chirstenson Jogunu ,Advocate, SR.No.55239

+1cc to Mr.M.Sridhar,Advocate, SR.No.55274

+1cc to Special Government Pleader, SR.No.55672

W.P. (MD) No.6492 of 2019

and

W.M.P. (MD) No.5189 of 2019

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