

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P.No.3047 of 2020 and W.P.No.4976 of 2020

and

WMP Nos.3564, 5874 & 5876 of 2020

W.P.No.3047 of 2020

P.P.Senthil

....Petitioner

Vs.

- 1.The Commissioner of Police,
Coimbatore City Police,
No.62, Old Post Office Road,
Gopalapuram, Coimbatore 641 018.
- 2.The Tahsildar,
Coimbatore (South) Taluk,
Huzur Road, Opp Court,
Gopalapuram, Coimbatore 641 018.
- 3.The Joint Chief Controller of Explosives,
A and D Wing, Block 1-8,
Shastri Bhavan, No.26, Haddows Road,
Nungambakkam, Chennai 600 006.
- 4.The Divisional Engineer,
(Construction and Maintenance),
T.N.Highways Department,
Trichy Road, Coimbatore 641 018.
- 5.The City Health Officer,
Coimbatore Corporation,
Corporation Main Office,
Coimbatore 641 001.
- 6.M/s.Shell India Markets Pvt. Ltd.,
Plot No.7, Bangalore Hardware Park,
Devanahalli Industrial Park,

Mahadeva Kodigehalli,
Bangalore 562 149.

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Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for a writ of mandamus to permanently forbear the respondents 1 to 5 from issuing No Objection Certificate (NOC), Explosive License and other approval/permission/consent to the sixth respondent to set up and operate a New Road-side Petroleum Retail Outlet on Peelamedu-Singanallur Road No.MDR-986 at Survey No.392/1, Sri Balasubramania Mills Ltd., Kamarajar Road, Uppilipalayam P.O., Coimbatore 641 015, in close proximity to Vibgyor School, several residential and commercial public buildings and in gross violation to the IRC Circular No.12:2009.

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

For Respondents : Mr.G.K.Muthukumar
for R1,2,4 & 5
Special Government Pleader
Mr. V.Chandrasekaran for R3
Standing Panel Counsel
Mr.M.Vijayan
for M/s.King & Patridge for
R6

W.P.No.4976 of 2020

V.B.R.Menon

... Petitioner

Vs.

1.The Secretary General,
Indian Road Congress,
IRC Bhawan,
Kama Koti Marg, Sector-6,
R.K.Puram, New Delhi 110 022.

2.The Secretary,
Ministry of Road Transport and Highways,
Transport Bhawan,
No.1, Parliament Street,
New Delhi 110 022.

3.The Secretary,
Ministry of Petroleum & Natural Gas,
A-Wing, Shastri Bhawan,

Dr.Rajendra Prasad Road,
New Delhi 110 001.

4.The Principal Secretary to Government,
Highways and Minor Ports Department,
Secretariat, Fort St.George,
Chennai 600 009.

... Respondents

Prayer: Petition under Article 226 of the Constitution of India
praying for a writ of certiorari to call for the records of the
Notification No.28 issued by the first respondent notifying the
withdrawal of IRC Circular No.12-2016 with effect from
01.12.2019 and to quash the same.

For Petitioner : Mr. V.B.R.Menon
Party in Person
For Respondents : Mr. V.Chandrasekaran
for R1 to R3
Standing Panel Counsel
Mr.G.K.Muthukumar for R4
Special Government Pleader

ORDER
(Made by the Hon'ble Chief Justice)

It is submitted by the relevant petitioners that in
W.P.No.3047 of 2020, the No Objection Certificate has been
quashed by the Division Bench in Madurai in W.P.(MD).
No.5125/2020 and in W.P.No.4976 of 2020, the concerned Oil
Company has withdrawn the proposal.

2. Accordingly, W.P.Nos.3047 and 4976 of 2020 are disposed
of, as they have worked themselves out. As a consequence, W.M.P
Nos.5874, 5876 and 3564 of 2020 are closed. There will be no
order as to costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

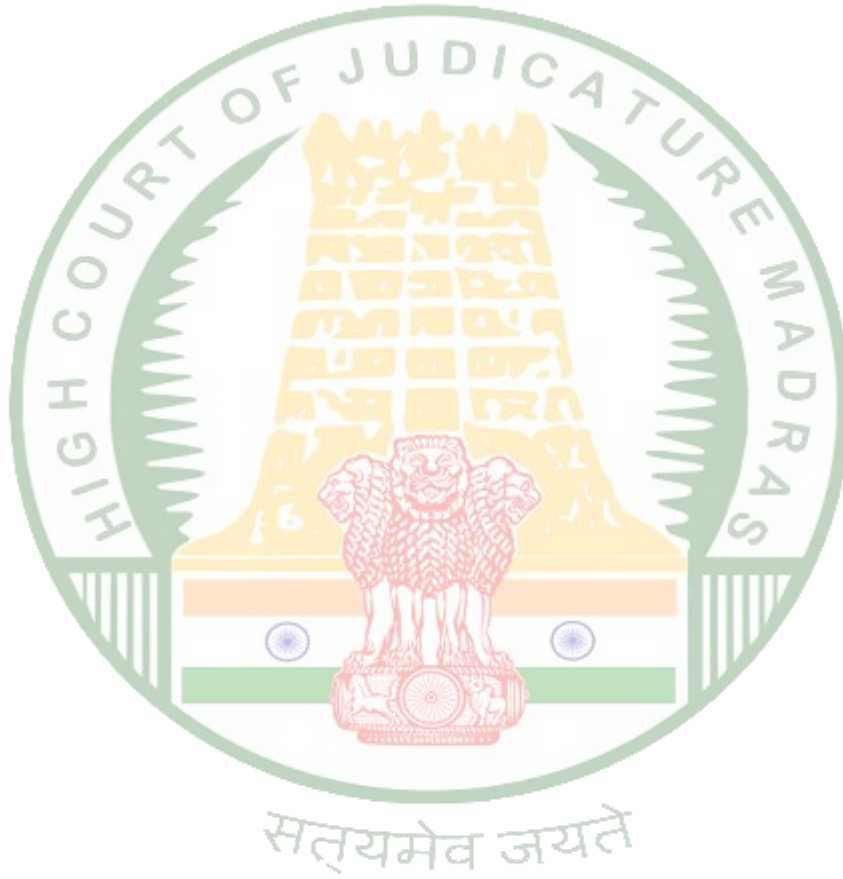
kpl/vsi

To

- 1.The Commissioner of Police,
Coimbatore City Police,
No.62, Old Post Office Road,
Gopalapuram, Coimbatore 641 018.
- 2.The Tahsildar,
Coimbatore (South) Taluk,
Huzur Road, Opp Court,
Gopalapuram, Coimbatore 641 018.
- 3.The Joint Chief Controller of Explosives,
A and D Wing, Block 1-8,
Shastri Bhawan, No.26, Haddows Road,
Nungambakkam, Chennai 600 006.
- 4.The Divisional Engineer,
(Construction and Maintenance),
T.N.Highways Department,
Trichy Road, Coimbatore 641 018.
- 5.The City Health Officer,
Coimbatore Corporation,
Corporation Main Office,
Coimbatore 641 001.
- 6.M/s.Shell India Markets Pvt. Ltd.,
Plot No.7, Bangalore Hardware Park,
Devanahalli Industrial Park,
Mahadeva Kodigehalli,
Bangalore 562 149.
- 7.The Secretary General,
Indian Road Congress,
IRC Bhawan,
Kama Koti Marg, Sector-6,
R.K.Puram, New Delhi 110 022.
- 8.The Secretary,
Ministry of Road Transport and Highways,
Transport Bhawan,
No.1, Parliament Street,
New Delhi 110 022.
- 9.The Secretary,
Ministry of Petroleum & Natural Gas,
A-Wing, Shastri Bhawan,
Dr.Rajendra Prasad Road,
New Delhi 110 001.

10.The Principal Secretary to Government,
Highways and Minor Ports Department,
Secretariat, Fort St.George,
Chennai 600 009.

+2ccs to Mr.V.Chandrasekharan , Advocate SR.No. 16506 and 16506
+1 cc to Government Pleader Sr.No. 16382 and 16383
W.P.Nos. 3047 and 4976 of 2020
A.SK(31.03.2021)



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