



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 19000 of 2021
and
W.M.P. No. 20267 of 2021

V. Vasantha

Versus

.. Petitioner

1. The District Collector
Ariyalur District
Ariyalur
2. The District Revenue Officer
Ariyalur District
Ariyalur
3. The Divisional Engineer
National Highways
Ariyalur District
Ariyalur
4. The Indian Oil Corporation Ltd
Rep. by its Regional General Manager
No. 500, Divisional Office
Anna Salai
Chennai - 600 035
5. The Senior Divisional Retail Sales Manager
Indian Oil Corporation Ltd
Trichy Divisional Office
No.35, Sastri Road
Thillai Nagar
Trichy - 620 018
6. G. Amutha
7. The Inspector of Police
Jayamkondam Police Station
Jayamkondam
Ariyalur District

.. Respondents



Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus forbearing the respondents 1 to 5 from granting any permission to locate the petroleum retail outlet by the 6th respondent in S.No.262/9 and 262/10, Elaiyur West Village, Andimadam Taluk, Ariyalur District, and consequently direct the respondents 2,4 and 5 to consider the objection of the petitioner dated 19.07.2021 within stipulated time.

For Petitioner : Mr. M.R. Jyothimanian
for Mr.S.Manikandan

For Respondents : Mr. G. Krishnaraja
Government Counsel (For R1-R3)

Mr. Mohammed Fayaz Ali (R4)

O R D E R

The present writ petition has been filed seeking a mandamus, forbearing the respondents 1 to 5 from granting any permission to locate the petroleum retail outlet by the 6th respondent in S.No.262/9 and 262/10, Elaiyur West Village, Andimadam Taluk, Ariyalur District and consequently, direct the respondents 2, 4 and 5 to consider the objection submitted by the petitioner dated 19.07.2021 within a time frame to be stipulated by this court.

2. The case put forth by the petitioner in this writ petition is that the sixth respondent was granted permission by the respondents 4 and 5, for setting up petroleum retail outlet at Marudhur to Koriyampatti on Jayamkondam to Senthurai Main Road (SH 217), for which, she obtained the land in S.No.262/9 and 262/10 situated at Elaiyur West Village, Andimadam Taluk, Ariyalur District, under lease from one Vasantha, W/o.Elangovan. According to the petitioner, the said land is adjacent to her residential house, ie., within 50 meter from the proposed retail outlet; and it is classified as residential area and a water tank is situated opposite to the same. That apart, the said land is called as black spot as declared by the third respondent / Highways Department and several accidents took place in the said area. Thus, the subject land located for setting up of petroleum retail out let by the sixth respondent is against the rules and guidelines issued by the respondents. Stating so, the petitioner submitted an objection to the respondents on 19.07.2021 and requested not to allow the sixth respondent to establish the



petroleum retail outlet in the subject land. However, the said objection was not considered, till date. Therefore, this writ petition.

3. When the matter is taken up for consideration, it is represented on the side of the respondent authorities that before finalising the proposal for establishment of petroleum retail outlet, each and every objection raised by the petitioner would be taken into consideration and all the parameters would be met with, by the respondent authorities.

4. Recording the above submission, this court directs the respondent authorities to act upon, in accordance with law, after providing an opportunity of hearing to the petitioner, sixth respondent and all other interested parties and this writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

dhk

To

1. The District Collector
Ariyalur District
Ariyalur
2. The District Revenue Officer
Ariyalur District
Ariyalur
3. The Divisional Engineer
National Highways
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5. The Senior Divisional Retail Sales Manager
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Trichy Divisional Office
No.35, Sastri Road
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6. The Inspector of Police
Jayamkondam Police Station
Jayamkondam
Ariyalur District

+1cc to Mr.S.Manikandan, Advocate, S.R.No.45787

+1cc to the Government Pleader, S.R.No.46147

W.P. No. 19000 of 2021

PM(CO)
SU(13/10/2021)