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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.21033 OF 2021

Jayakanthan.T

...Petitioner

Versus

1. The Additional District Magistrate
& District Revenue Officer,
District Collector Office,
Kanchipuram District.
2. Bharath Petroleum Corporation Ltd.,
Represented by its Territory Manager (Retail),
No.35, Vaidyanathan Street, Tondiarpet,
Chennai - 600 081.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to dispose the application dated 20.02.2020 by the second respondent for issuance of No Objection Certificate to enable the petitioner to establish a MS/HSD retail outlet in Old Survey No.90/103A, New Survey No.553/8 & 553/9, ad-measuring 400 sq.meters, Walajabad Village, Kanchipuram District, forthwith.

For Petitioner	:	Mr.V.Raghavachari
For Respondent - 1	:	Mr.Stalin Abhimanyu, Government Counsel

O R D E R

Today, when the matter was taken up for hearing, the learned counsel for the petitioner submitted that subsequent to the filing of this writ petition, the first respondent has passed an order in R.C.No.5803/2020/M3 dated 01.10.2021, the relevant portion of which reads as follows:

"Therefore, only after the applicant i.e., M/s.Bharath Petroleum Corporation Ltd., obtains the necessary No Objection Certificate from the Divisional



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Engineer (H), Highways Department, Kancheepuram and submit the same to this Department, appropriate action can be taken on the applicant's application to issue of NOC for retail outlet at S.No.90/103A, New S.No.553/8, 553/9 in Walajabad Village, Walajabad Taluk and Kancheepuram District.

It is informed that the applicant can prefer an appeal, if he is aggrieved against this proceedings, within 60 days, to the Commissioner of Transport, Transport Department, Chennai."

He therefore prayed that this writ petition may be closed with liberty to the petitioner to file an appeal, challenging the aforesaid order dated 01.10.2021 passed by the first respondent.

2. Granting such liberty to the petitioner, this Writ Petition is closed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

mrr

To

1. The Additional District Magistrate
& District Revenue Officer,
District Collector Office,
Kanchipuram District.
2. The Territory Manager (Retail),
Bharath Petroleum Corporation Ltd.,
No.35, Vaidyanathan Street, Tondiarpet,
Chennai - 600 081.

Copy To

The Commissioner of Transport,
Transport Department, Chennai.

+1cc to the Government Pleader, S.R.No.53139

W.P.No.21033 of 2021

KG(CO)
PM/27/10/2021