



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.24100 of 2021

V.S.Nithyanantham

... Petitioner

Vs.

- 1.The Commissioner of Police,
Coimbatore City,
Coimbatore.
- 2.The District Revenue Officer,
Coimbatore District,
Collectorate Building,
State Bank Road,
Coimbatore 641 018.
- 3.The Revenue Divisional Officer,
Coimbatore District,
Coimbatore.
- 4.The District Fire and Rescue Officer,
Coimbatore District,
State Bank Road,
Coimbatore - 641 018.
- 5.The Divisional Engineer,
State Highways, Coimbatore.
- 6.M/s.Nayara Energy Limited
(Formerly Essar Oil Limited),
Office No.3, 5th Floor, Mayflower Valencia,
No.336/2, Avinashi Road,
Nava India,
Coimbatore 641 004.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st and 5th



respondents herein to consider the granting of NOC to the petitioner for setting up the retail outlet for selling MS/HSD/Lubes DODO products as franchises for M/s.Nayara Energy Limited at Survey No.734/5A, Coimbatore North Taluk, Kalapatti Village, Tamil Nadu - 641 014 within a limited time frame.

For Petitioner : Mr.P.K.Balasubramanian

For Respondents : Mr.U.Baranidharan
Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 1 and 5 to consider granting of NOC to the petitioner for setting up the retail outlet for selling MS/HSD/Lubes DODO products as franchises for M/s.Nayara Energy Limited at Survey No.734/5A, Coimbatore North Taluk, Kalapatti Village, Tamil Nadu - 641 014 within a limited time frame.

2.The case of the petitioner is that he is the absolute owner of Survey No.734/5A, Coimbatore North Taluk, Kalapatti Village, Tamil Nadu - 641 014 and he applied to the sixth respondent for franchisee and he received letter of appointment from the sixth respondent on 30.09.2020. Thereafter the sixth respondent filed application dated 05.10.2020 for grant of NOC under Petroleum Rules for proposed retail outlet to store petroleum to the first respondent and the first respondent sought for report from the other respondents and respondents 2 to 4 have sent their reports in favour of the petitioner, however, the fifth respondent has not yet given any reply. Hence the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner would submit that without going into the merits of the case, it would suffice if this Court issues a direction to the respondents 1 and 5 to consider the sixth respondent's application dated 05.10.2020 and to pass appropriate orders, within the reasonable time fixed by this Court.

4.The learned Government Advocate appearing for the respondents would submit that the fifth respondent has sent its letter dated 05.05.2021 to the first respondent and based on the letter of the fifth respondent appropriate orders will be passed by the first respondent, within a reasonable time as fixed by this Court.



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5. In view of the above, this Court directs the first respondent to pass appropriate orders on the sixth respondent's application dated 05.10.2020, within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

1. The Commissioner of Police,
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State Bank Road,
Coimbatore - 641 018.
5. The Divisional Engineer,
State Highways, Coimbatore.

+1cc to M/s.P.K.Bala Subramanian, Advocate Sr.58311

W.P.No.24100 of 2021

pl[co]
srg 03/12/2021