



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27668 of 2021

R.Priya

...Petitioner

vs.

1. The District Revenue Officer,
District Revenue Office,
Krishnagiri District.
2. The Sub Collector,
O/o, the Sub Collector,
Hosur, Krishnagiri District.
3. The Tahsildar,
Hosur Taluk Office,
Hosur, Krishnagiri District.
4. The Village Administrative Officer,
Mathigiri Village, Hosur,
Krishnagiri District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to issue No Objection Certificate for setting up of Retail Outlet in the properties situated at survey No.578/2 measuring an extent of 27 Cents and 589/2B measuring an extent of 6 cents in Mathigiri Village, Hosur Taluk, Krishnagiri District, based on the representation dated 06.08.2021 within the time to be stipulated by this Court.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mrs.C.Sangamithirai
Special Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to direct the 1st respondent to consider the petitioner's representation dated 06.08.2021 and to issue No Objection Certificate for setting up of Retail Outlet in the



properties situated at survey No.578/2 and 589/2B in Krishnagiri District within the time stipulated by this Court.

2. The case of the petitioner is that the petitioner's firm is engaged in the business of refining and selling of Petroleum Products and also providing Franchisees to the third parties for setting up of Retail Outlets (in short RO) in various places. The petitioner submitted an application dated 15.07.2021 for setting up of RO at properties situated in Survey Nos. 578/2 measuring an extent of 27 Cents and 589/2B measuring an extent of 6 cents in Mathigiri Village and the petitioner was directed to comply with the conditions that he has to obtain the No Objection Certificates (in short NOC) from the concerned authorities. Therefore, the petitioner firm made representation on 06.08.2021 to the 1st respondent for grant of NOC and the in pursuant to the same, the 1st respondent vide letter dated 13.08.2021 directed the concerned authorities to conduct inspection in the said site and the 2nd respondent issued Memorandum in ROC No.3229/2021/B1 dated 23.08.2021 and instructed the 3rd respondent to inspect the site and submit the report.

3. It is further submitted that the 3rd and 4th respondents inspected the said site and submitted their report during the month of September 2021 stating that they have no objection for setting up of RO. However, till date no order has been passed by the 1st respondent for granting NOC to the petitioner's firm. Hence, this Writ petition.

4. The learned counsel for the petitioner submitted that the petitioner made representation on 06.08.2021 before the 1st respondent for grant of NOC for which the respondents 3 and 4 have inspected the said site and submitted their report, despite of their submission, till date the 1st respondent has not passed any orders on the petitioner's representation. Hence, it would suffice, if this Court issues direction to the 1st respondent to consider the petitioner's representation dated 06.08.2021 and grant NOC to the petitioner's firm for setting up of Retail Outlet in the property situated in Survey No.578/2 and 589/2B as expeditiously as possible.

5. The learned Special Government Pleader appearing for the respondents fairly conceded that the petitioner's representation dated 06.08.2021 will be considered in accordance with law and appropriate orders will be passed in the light of the report submitted by the Respondents 2 to 5 within the time stipulated by this Court.

6. In view of the above submissions made by the learned counsels on either side, this Court without going into the



merits of the case, issues direction to the 1st and 2nd respondents to consider the petitioner's representation dated 06.08.2021 on merits and in accordance with law and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

7. Accordingly, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

skt

To:

1. The District Revenue Officer,
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Hosur, Krishnagiri District.
4. The Village Administrative Officer,
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Krishnagiri District.

+1cc to Mr.R.Bharath Kumar, Advocate, S.R.No.69922

+1cc to the Government Pleader, S.R.No.69846

W.P.No.27668 of 2021

CP[co]
NSK 27/01/2022