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W.P.[MD]No.4748 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.4748 of 2021

and

W.MP(MD) .No.3861 of 2021

P.Arockia Richard

... Petitioner

Vs.

1.The District Collector
Collectorate,
Sivagangai District

2.District Revenue Officer
Devakottai
Sivagangai District

3.Revenue Divisional Officer
Sivagangai District

4.The Tahsildar
Karaikudi Taluk
Sivagangai District

5.Mr.Pakkiyaraj

6.The Zonal Manager
Essar Oil Corporation Limited
Zonal Office at Chennai House
Chennai 600 108

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents 1 to 4, forbearing issuance of licence on the purpose of petrol bulk at Plots No. C22 & C23 in Suvey No.428/1A Senjaipallivasal, Karaikudi Taluk, Sivagangai District by considering the representations dated 02.03.2020 and 09.03.2020 within the time stipulated by this Court.

For Petitioner : Mr.A.Joseph Jerry

For Respondents
1 to 4 : Mr.A.K.Manickam
Standing Counsel for Government

For Respondent 5 : Mr.R.Sundar Srinivasan



ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

We have heard Mr.A.Joseph Jerry, learned counsel appearing for the petitioner, Mr.A.K.Manickam, learned Standing Counsel for Government appearing for the respondents 1 to 4 and Mr.R.Sundar Srinivasan, learned counsel appearing for 5th respondent.

2.This writ petition filed as a "Public Interest Litigation" prays for a positive direction upon the respondents 1 to 4, forbearing them from issuing any license to the private respondent for running a petrol bunk.

3.The sixth respondent is yet to be served. The learned standing counsel for Government appearing for the respondents 1 to 4 submitted that the application is under consideration before the second respondent and no orders have been passed.

4.The apprehension of the petitioner is that the permission may be granted without even taking note of the objections given by the petitioner and others in the representations dated 02.03.2020 and 09.03.2020, wherein they have represented that the petrol bunk should not be located.

5.In any event, since the matter is now pending before the second respondent, we direct the second respondent to take note of the objections dated 02.03.2021 and 09.03.2021 and conduct a spot inspection, after notice to the sixth respondent and then, proceed to pass order on merits and in accordance with law. This order shall be complied with as and when the application given by the sixth respondent is taken up for consideration by the second respondent.

6.With the above direction, this Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa/cp



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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The District Collector
Collectorate
Sivagangai District
- 2.District Revenue Officer
Devakottai
Sivagangai District
- 3.Revenue Divisional Officer
Sivagangai District
- 4.The Tahsildar
Karaikudi Taluk
Sivagangai District

+1 CC to M/s.R.SUNDAR SRINIVASAN, Advocate (SR-19139[F] dated 10/06/2021)

+1 CC to M/s.SPL GP (SR-19219[F] dated 11/06/2021)

ORDER MADE IN
W.P. [MD]No.4748 of 2021
and
W.MP (MD) .No.3861 of 2021
09.06.2021

KMK (CO)
TR(17.06.2021) 3P 7C