



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5847 of 2021

WEB COPY

Sylaja Kumari

... Petitioner

-Vs-

- 1.The Director,
Department of Geology and Mining,
Guindy, Chennai-600 032.
- 2.The District Collector,
O/o. District Collectorate,
Kanyakumari District.
- 3.The Joint Director of Geology and Mines,
Nagerkovil,
Kanyakumari District.
- 4.The Sub Collector,
Padmanathapuram,
Kanyakumari District.
- 5.The Territory Manager,
O/o. The Territory Manager,
Bharat Petroleum Corporation Limited,
Retail Territory Office,
B.G.Goods Shed Road, Thachanallur,
Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first respondent to grant No Objection Certificate to the petitioner for setting up a petrol bunk at S.No.729/1, Mecode Village, Thiruvattor Taluk, Kanyakumari District in light of the proceedings in A2/7769/2019, dated 20.03.2020 issued by the respondent No.4, by considering the petitioner's representation dated 03.03.2021 within the time frame stipulated by this Court.

For Petitioner	: Mr.G.Anto Prince
For R1 to R4	: Mr.B.Bagawathi
	Government Advocate

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for R1 to R4.



2.Considering the nature of relief to be granted, notice to R5 is dispensed with. With the consent of learned counsel on either side, the Writ Petition is taken up for final hearing at the stage of admission itself.

3.The petitioner wants to set up a petroleum bunk at the petition mentioned site. A quarry is said to be in the vicinity. Therefore, No Objection Certificate from the first respondent is said to be necessary. The petitioner has given an application in this regard before the first respondent on 07.01.2021. A reminder was also sent on 03.03.2021. Till date, the first respondent has not passed orders on the petitioner's request. Therefore, this Writ Petition has been instituted.

4.Without going into the merits of the matter, I direct the first respondent to consider and dispose of the petition mentioned representation on merits and in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order. The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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 Director,
Department of Geology and Mining,
Guindy, Chennai-600 032.

2.The District Collector,
O/o. District Collectorate,
Kanyakumari District.



3.The Joint Director of Geology and Mines,
Nagerkovil,
Kanyakumari District.

4.The Sub Collector,
Padmanathapuram,
Kanyakumari District.

+1 CC to M/s.G.ANTO PRINCE, Advocate (SR-11901[F] dated
17/03/2021)

+1 CC to M/s.SPL GP (SR-11993[F] dated 17/03/2021)

W.P. (MD)No.5847 of 2021
16.03.2021

—
VR(CO)
KK(18.03.2021) 3P 7C