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W.P.[MD]No.10800 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.10800 of 2021

and

W.M.P.[MD]Nos.8438 & 8439 of 2021

R.Ramasamy

... Petitioner

Vs.

1.The Divisional Retail Sales Head,
Indian Oil Corporation Ltd.,
Trichy Divisional Office,
Thiruveni 3rd Floor, B-35, Sasthiri Road,
Thillai Nagar, Trichy - 18.

2.The District Revenue Officer,
Tanjore District, Tanjore.

3.The Revenue Divisional Officer,
Tanjore, Tanjore District.

4.Suriyamoorthy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the 1st respondent in his Ref.No.4105/TNJ/SRMP, dated 10/06/2021 and quash the same and consequently directing the 1st respondent to cancel the dealership issued in favour of the 4th respondent.

For Petitioner : Mr.C.Prakasam

For R2 & R3 : Mr.R.Baskaran

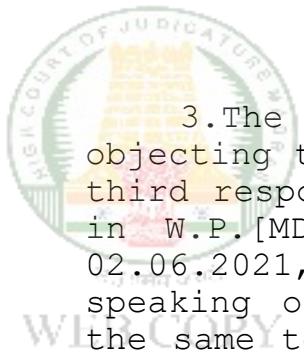
Standing Counsel for Government

O R D E R

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

With the consent on either side, the Writ Petition itself is taken up for final disposal.

2.Heard Mr.C.Prakasam, learned Counsel appearing for the petitioner and Mr.R.Baskaran, learned Standing Counsel for Government appearing for R2 and R3.



3.The petitioner is before this Court for the second time, objecting to the location of retail petroleum outlet, for which, the third respondent is appointed as dealer. The earlier writ petition in W.P.[MD]No.9532 of 2021 was disposed of by an order dated 02.06.2021, by directing the Indian Oil Corporation to pass a speaking order on the petitioner's representation and communicate the same to the petitioner. This direction has been complied with by the Oil Corporation and reply has been given on 10.06.2021. This reply is sought to be challenged by the petitioner in this writ petition.

4.On going through the reply given by the Oil Corporation, we find that it is the district administration who is the competent authority to grant No Objection Certificate [NOC] and the communication clearly states that the authorities will look into the various guidelines prescribed for setting up a new petroleum outlet and only on satisfaction of the said guidelines, NOC has been issued. Therefore, if at all the petitioner is aggrieved by any action of the district administration, his remedy lies elsewhere. On the ground raised by the petitioner, we cannot interfere with the impugned communication.

5.Accordingly, the Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

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 Revenue Officer,
Tanjore District,
Tanjore.



2.The Revenue Divisional Officer,
Tanjore,
Tanjore District.

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+1 CC to M/s.C.PRAKASAM, Advocate (SR-20804[F] dated 01/07/2021)

ORDER MADE IN
W.P.[MD]No.10800 of 2021
01.07.2021

KMK (CO)
TR(08.07.2021) 3P 4C