



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

W.P. (MD) No.13324 of 2020

and W.M.P. (MD) Nos.11126 & 11127 of 2020

R.Reganprithivee

: Petitioner

Vs.

- 1.The District Collector,
Dindigul District, Dindigul.
- 2.The District Revenue Officer,
Dindigul District, Dindigul.
- 3.The Revenue Divisional Officer,
Palani Division,
Palani, Dindigul District.
- 4.The Tahsildar,
Guziliyamparai Taluk,
Dindigul District.
- 5.The Joint Chief Controller of Explosives,
A and D - Wing Block, 1-8, II Floor,
Shastri Bhavan,
26 - Haddous Road,
Nungambakkam,
Chennai - 600 006.
- 6.Bharat Petroleum Corporation Ltd.,
Rep. by its Manager,
No.37, Tiruparankundram Road,
Pasumalai, Madurai - 625 004.

7.P.Muthusamy

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 1 to 5 to restrain the respondents 6 & 7 from opening a petroleum retail outlet bearing S.No.287/3C1 Dindigul - Karur State Highway in R.Vellodu Village, opposite to Boomiyamman Kovil, Muniappan Kovil adjacent to Crematory ground located in R.Vellodu Village, Dindigul District, based on the petitioner's representation dated 09.09.2020 and 15.09.2020 and the public representation dated 18.09.2020.



For Petitioner
For Respondents

: Mr.K.N.Selva Bharathi
: Mr.N.Shanmugaselvam,
Additional Government Pleader
for R.1 to R.4

Mr.S.Jeyasingh,
Central Government Standing Counsel
for R.5

Mr.S.Nateshraja for R.6

Mr.G.Gomathi Sankar for R.7

ORDER

(Order of the Court was made by **M.M.SUNDRESH, J.**)

The petitioner filed this public interest litigation seeking a writ of mandamus directing the official respondents to restrain the respondents 6 & 7 from opening a petroleum retail outlet bearing S.No.287/3C1 Dindigul - Karur State Highway in R.Vellodu Village, Dindigul District.

2. The learned Counsel appearing for the petitioner submitted that it is doubtful as to whether the seventh respondent owns the property or not. Incidentally, it is submitted that the place is situated nearer to two temples and a factory.

3. Upon perusing the counter affidavit filed by the fourth respondent, who gave the no objection certificate, it appears that the temples are not only far away, but there are no sufficient activities taking place. The factory in question was also closed. The question of title is not the concern of the petitioner. The sixth respondent has satisfied with the title, as per the terms and conditions and gave the license to the seventh respondent. Thus, we do not find any violation of the rules from the submissions made by the learned Counsel appearing for the petitioner and therefore, we are not inclined to entertain this writ petition.

4. In fine, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

- 1.The District Collector,
Dindigul District,
Dindigul.
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Palani,
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- 4.The Tahsildar,
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A and D - Wing Block, 1-8, II Floor,
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26 - Haddous Road,
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Chennai - 600 006.

+1 CC to M/s.S.JEYASINGH, Advocate (SR-14221[F] dated 29/03/2021)

+1 CC to M/s.G.GOMATHI SANKAR, Advocate (SR-14227[F] dated 29/03/2021)

+1 CC to M/s.SPL GP (SR-14315[F] dated 30/03/2021)

W.P. (MD) No.13324 of 2020
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SRK(CO)
TR(24.04.2021) 3P 9C