



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2022

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN
AND
THE HON'BLE MRS.JUSTICE S.ANANTHI

W.P.No.11852 of 2022
and
W.M.P. No. 11285 of 2022

M.Palanisamy

Vs

.... Petitioner

1. The District Collector,
Erode District Collectorate,
Erode.
2. The District Revenue Officer,
District Revenue Office Complex,
Erode.
3. Territory Manager (Retail),
Bharat Petroleum Corporation Ltd.,
Ravathur (P.O.) Irugur (via),
Coimbatore-641 103.
4. The Executive Officer,
Perundurai Town Panchayat,
Perundurai,
Erode Dt.
5. Chief Controller of Explosives,
A and D Wing, Block 1-8,
Shastri Bhavan,
No.26, Haddows Road,
Nungambakkam,
Chennai-600 006.
6. Senthuravelan Agency,
rep. By Senthur Bharathi
SF No.822/10B3A & 11C1,
Perundurai to thoppupalayam Road,
RS Road, Perundurai Village and taluk,
Erode District-638 052.

... Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1st to 2nd to reject the application submitted by the 3rd respondent seeking No Objection Certificate/License/Approval etc. to open and operate a New Road-side Petroleum Retail Outlet/Bunk on the lands comprised in R.S.No.822/10B3A and 11C1, Perundurai Village and Taluk, Erode District, which is situated on Perundurai-Toppupalayam Main Road, State Highway MDR-1137 in the light of petitioner objection dated 17.03.2022 and the various Rules and Regulations and G.O. No.79, issued by Housing and Urban Development Department dated 04.05.2017 governing the establishment and commissioning of Road Side Petroleum Outlet.

For Petitioner : Mr.B.Harikrishnan

For Respondents : Mrs. Raja Rajeswari,
Govt. Advocate for R1 to R5

O R D E R

(Order of the Court was made by R.MAHADEVAN, J.)

When the matter was taken up for consideration, the learned counsel for the petitioner fairly submitted that subsequent to the filing of this Writ Petition, license was granted to the 3rd and 6th respondents for establishing a petrol retail outlet in the lands situated at Perundurai-Toppupalayam Main Road and hence, the petitioner may be permitted to withdraw this writ petition with liberty to challenge the said order.

2. Recording the said submission made by the learned counsel for the petitioner, liberty is granted and this writ petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
VACATION OFFICER

//True Copy//

Sub Assistant Registrar

KST/RPP

To

1. The District Collector,
Erode District Collectorate, Erode.



2. The District Revenue Officer,
District Revenue Office Complex,
Erode.

3. Territory Manager (Retail),
Bharat Petroleum Corporation Ltd.,
Ravathur (P.O.) Irugur (via),
Coimbatore-641 103.

4. The Executive Officer,
Perundurai Town Panchayat,
Perundurai, Erode Dt.

5. Chief Controller of Explosives,
A and D Wing, Block 1-8,
Shastri Bhavan, No.26, Haddows Road,
Nungambakkam, Chennai-600 006.

+1cc to Mr.B.Harikrishnan, Advocate, S.R.No.31123
+1cc to the Government Pleader, S.R.No.31298

W.P.No.11852 of 2022

EV(CO)
CT 25/05/2022