



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.42726 of 2016

and

W.M.P.No.36651 of 2016

Navanee Agencies,
rep. by its Proprietor
C.Murugesan

...Petitioner

Vs.

- 1.The District Collector,
Dharmapuri District,
Dharmapuri-636 705.
- 2.The District Revenue Officer,
Dharmapuri District,
Dharmapuri-636 705.
- 3.The Divisional Manager,
Indian Oil Corporation,
Salem Divisional Office,
No.234, 1st Floor, S.D.Loia Building,
HH.7, Bangalore Bypass Road,
Kondalampalli, Salem-636 610.
- 4.G.Venkatesan,
S/o.Gopal

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondents 1 and 2 from issuing or granting no objection certificate to the 4th respondent for setting of petrol bunk in S.No.1/3B1B and S.No.1/3B2B in Karimangalam Taluk, Mahendramangalam Revenue Village for the proposed dealership earmarked from 2 km. From Veerasanur to Mahendramangalam on SH17 without considering the objection of the petitioner dated 30.04.2016.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.M.Shahjahan
Special Govt. Pleader for R1 & R2
Mr.R.Ravi for R3
Mr.K.Gandhikumar for R4



O R D E R

(The case has been heard through video conference)

This Writ Petition has been filed forbearing the respondents 1 and 2 from issuing no objection certificate to the 4th respondent to set up petrol bunk in Survey Nos.1/3B1B and 1/3B2B in Karimangalam Taluk, Mahendramangalm Revenue Village.

2. The grievance of the petitioner is that, he is a registered dealer of 3rd respondent Corporation and running retail outlet of petroleum products situated at 100 meters away from Hosur-Dharmapuri Main Road within the Sökkampalli Village. Subsequently, the 3rd respondent had issued a notification to award dealership at Dharmapuri and the location was fixed within 2 kilometers from his place. In pursuant to the notification, the 4th respondent has applied for grant of dealership and located the retail outlet, which is not within 2 kilometres from the area earmarked by the 3rd respondent. Therefore, the petitioner has submitted a representation to the respondents 1 and 2 seeking not to grant no objection certificate to the 4th respondent, that representation was not considered. Hence, the present Writ Petition seeking a direction.

3. Today, when the matter taken up for hearing, Mr.R.Ravi, learned counsel appearing for 3rd respondent would submit that, even prior to the filing of Writ Petition, no objection certificate has been granted to the 4th respondent. Thereafter, he has also put up a petrol pump and doing business. On the other hand, the petitioner has temporarily closed his business and as on today, he is not running petrol pump there. Hence, no further adjudication is required in this Writ Petition and the same may be dismissed as infructuous.

4. Heard and considered rival submissions made by learned counsel appearing for both sides and perused the records.

5. Considering the fact that, now a no objection certificate has been given to the 4th respondent, and he has also put up the retail outlet and doing business, the prayer sought by the petitioner has become infructuous and this Writ Petition is liable to be dismissed. Accordingly, this Writ Petition stands dismissed as infructuous. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

rpp



To

1. The District Collector,
Dharmapuri District,
Dharmapuri-636 705.

2. The District Revenue Officer,
Dharmapuri District,
Dharmapuri-636 705.

3. The Divisional Manager,
Indian Oil Corporation, Salem Divisional
Office, No.234, 1st Floor, S.D.Loia Building,
HH.7, Bangalore Bypass Road,
Kondalampalli, Salem-636 610.

+1cc to the Government Pleader, SR.No.12387

W.P.No.42726 of 2016

BR(CO)
RVM(31/03/2022)