



W.P.(MD)No.16924 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.16924 of 2022

and

W.M.P(MD)No.12325 of 2022

S.Balraj

... Petitioner

Vs

1.The Executive Director,
Indian Oil Corporation,
Nungampakkam High Road,
Thirumoorthy Nagar,
Ayiram Vilakku,
Chennai – 600 006.

2.The Chief Divisional Manager,
Indian Oil Corporation,
Triveni,
35. Third Floor,
Shastri Road,
Trichy.

3.P.Muthusamy

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents 1 to 3 from erecting Petrol Tanks in 7 cents of the petitioner's property in S.No.248/2 situates in Venkatachalapuram Village, Thuraiyur Taluk, Trichy District till the



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disposal of O.S.No.51/2021 on the file of the District Munsif Court, Thuraiyur and O.S.No.242/2019 on the file of the District Court, Trichy.

For Petitioner : Mr.N.Mohan

For Respondents : Mr.K.Muraleedharan
Standing Counsel for R.1 & R.2

Notice Dispensed With for R.3

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Standing Counsel appearing for the respondents 1 and 2.

2. Considering the nature of relief to be granted, issuance of notice to the third respondent is dispensed with. There is a civil suit pending between the petitioner and the third respondent in O.S.No.51 of 2021 on the file of District Munsif Court, Thuraiyur. In the said suit the respondents 1 and 2 herein are not defendants or parties. The allegation of the petitioner is that the respondents 1 and 2 have now taken up expansion works.

3. The learned Standing Counsel clarifies that only improvement works have been carried on and there is no proposal to expand or enter into the disputed property. The respondents 1 and 2 through the learned Standing Counsel make it clear that the proposed work would be carried out within the existing dimensions.



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4. Recording the said submission, this writ petition is disposed of.

Consequently, connected miscellaneous petition is closed. No costs.

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Index : Yes / No

Internet : Yes/ No

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To

1.The District Munsif Court,
Thuraiyur.

2.The District Court,
Trichy.

3.The Executive Director,
Indian Oil Corporation,
Nungampakkam High Road,
Thirumoorthy Nagar,
Ayiram Vilakku,
Chennai – 600 006.

4.The Chief Divisional Manager,
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G.R.SWAMINATHAN, J.

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