



W.P.No.13506 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.13506 of 2023

Neyveli Educational Trust,
Represented by its Secretary-Mr.R.D.Arjun
Kumbakonam Main Road,
Keelakollai, Marungur Post,
Panruti Taluk,
Cuddalore District-607 103

. . . Petitioner

Vs.

1. The District Collector,
District Collector Office,
Cuddalore District.
2. The Revenue Divisional Officer,
Cuddalore.
3. The District Officer,
Fire and Rescue Service, Cuddalore,
4. The Superintendent of Police,
Cuddalore District, Cuddalore.
5. The Tahsildar,
Panruti Taluk,
Cuddalore District.



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6. The Divisional Engineer,
Highways Department,
Cuddalore.

7. The Tamil Nadu Pollution Control Board,
Rep by its Chairman,
76, Mount Road,
Guindy, Chennai-600 032.

8. The District Environmental Engineer,
The Tamil Nadu Pollution Control Board,
Plot No.A-3, SIPCOT Industrial Complex,
Kudikadu,
Cuddalore-607 005.

9. The Shell India Markets Private Limited,
Rmz Millenia Business Park II,
Tyche Tower, 4A Campus,
143, Dr.M.G.R.Main Road,
Kodandarama Nagar, Perungudi,
Chennai-600 096.

10. Ibrahim Kutti

. . . Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or any other Writ or order or direction in the nature of Writ of Mandamus forbearing the Respondents 1 to 6 from permitting the respondents 9 & 10 to run their Retail Petroleum Outlet in S.No.452/1B, Marungur village, Panruti Taluk, Cuddalore District contrary to the guidelines of the 7th respondent in their letter no.TNPCB/T5/F 02160/2020 dated 12.11.2020 and letter no. TNPCB/T2/F 22025/2020 dated 21.01.2022.



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For petitioner : M/s.I.Abrar Miohamed Abdullah
For Respondent : Mr.E.Veda Bagath Singh,
Special Government Pleader

ORDER

This Writ Petition has been filed seeking to forbear the Respondents 1 to 6 from permitting the Respondents 9 & 10 to run their Retail Petroleum Outlet in subject property contrary to the guidelines issued by the 7th respondent in their letters dated 12.11.2020 and 21.01.2022.

2. Mr.E.Veda Bagath Singh, learned Special Government Pleader takes notice to respondents 1 to 8.

3. Since, no adverse orders being passed against the 10th respondent, notice to the 10th respondent is dispensed with.

4. The petitioner is the Public Charitable trust created for the purpose of imparting Education by running Schools, Colleges, Training



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Centres, institutions etc. The petitioner is running a College in Survey Number 451/2B in Marungur Village, Panruti Taluk, Cuddalore having obtained necessary permission from the authorities concerned. In the land adjoining to the petitioner's college, without obtaining permission from the 7th respondent, the 10th respondent having proposed to run a petrol bunk has obtained a dealership from the 9th respondent and has installed the fuel dispensing units which is wholly contrary to the guidelines issued by the Tamil Nadu Pollution Control Board/7th respondent prescribing that the Retail outlets shall not be located within a distance of 50 meters from schools, hospitals and residential areas. Hence, the petitioner made a representation dated 08.03.2023 to the concerned authorities setting out the above facts. However, till date the same has not been considered. Hence this Writ Petition.

5. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the respondents herein to consider the representation made by the petitioner on 08.03.2023 and pass appropriate orders on merits within the time that may be stipulated by this Court.



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6. On the above contention, this Court heard the learned Special Government Pleader appearing for the official respondents.

7. In view of the limited relief sought for by the petitioner, this Court without going into the merits of the case, directs the respondents 1 & 7 to consider the representation made by the petitioner on 08.03.2023 and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

8. This Writ Petition is disposed of with the aforesaid direction. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition stands closed.

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Index : Yes / No
Internet : Yes / No

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