



W.P(MD)No.2816 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2816 of 2023

and

W.M.P.(MD)No.2615 of 2023

Ariya

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The District Revenue Officer,
Kanyakumari District,
Nagercoil.
- 3.The Tahsildar,
Killiyoor Taluk,
Kanyakumari District.
- 4.The District Environment Engineer,
318/46A, Water Tank Road,
Nagercoil,
Kanyakumari District.
- 5.The President,
Choozhal Village Panchayat,
Choozhal,
Killiyoor Taluk,
Kanyakumari District.



W.P(MD)No.2816 of 2023

6.The Divisional Officer,
Fire and Rescue Department,
Nagercoil,
Kanyakumari District.

7.The Deputy Director,
District Health Director Officer,
Krishnankovil,
Nagercoil,
Kanyakumari District.

8.The Divisional Officer,
Indian Oil Corporation Limited,
Race Course Road,
Chokkikulam,
Madurai District.

9.Sherlin Sheeba

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 8 not to proceeding with the proposal to set up a new petrol/diesel retail outlet at Sy.No.72/13B, 10A in the Choozhal Village, Killiyoor Taluk, Kanyakumari District.

For Petitioner : Mr.V.M.Balamohan Thampi

For Respondents : Mrs.S.Jeyapriya
Government Advocate for R1 to R3, R6 & R7

: Mr.S.Vijayakumari Natarajan
Standing Counsel for R4



W.P(MD)No.2816 of 2023

ORDER

Heard the learned counsel appearing for the writ petitioner.

2. The prayer in the writ petition is that the respondent must not proceed with the petition mentioned proposal to establish a new fuel outlet. The petitioner has come to this Court at a premature stage.

3. Even according to the petitioner, the District Revenue Officer is yet to issue No Objection Certificate. The District Revenue Officer has given notice to the petitioner to appear for enquiry. The petitioner can very well place his case before the second respondent. If any adverse order having legal consequence is passed that affects the petitioner's interest, the petitioner can always come to the Court. At that stage, the Court will examine the petitioner's contention. The writ petition has been prematurely filed.

4. The Writ Petition is dismissed in *limini* without notice to the respondents. No costs. Consequently, connected miscellaneous petition is closed.

13.02.2023

Index : Yes / No
Internet : Yes/ No
rmi



WEB COPY



W.P(MD)No.2816 of 2023

G.R.SWAMINATHAN, J.

rmi

To

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The District Revenue Officer,
Kanyakumari District,
Nagercoil.
- 3.The Tahsildar,
Killiyoor Taluk,
Kanyakumari District.
- 4.The President,
Choozhal Village Panchayat,
Choozhal,
Killiyoor Taluk,
Kanyakumari District.
- 5.The Divisional Officer,
Fire and Rescue Department,
Nagercoil,
Kanyakumari District.
- 6.The Deputy Director,
District Health Director Officer,
Krishnankovil,
Nagercoil,
Kanyakumari District.

W.P(MD)No.2816 of 2023

13.02.2023