



W.P.(MD) No.7099 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.7099 of 2020

and

W.M.P.(MD) No.6539 of 2020

M.Francis (Retired Head Master)

.. Petitioner

Vs.

- 1.The District Collector,
Collectorate, Nagercoil,
Kanyakumari District.
- 2.The District Revenue Officer,
O/o. The District Revenue Officer,
Nagercoil, Kanyakumari District.
- 3.The Superintendent of Police,
O/o. The Superintendent of Police,
29, Acharimar South 2nd Street,
Meenakshipuram, Vadiveeswaram Village,
Kanyakumari District-629 001.
- 4.The Indian Oil Corporation Ltd.,
Rep., by its Executive Director,
Tamil Nadu State Office,
No.139, Nungambakkam High Road,
Chennai-600 034.



W.P.(MD) No.7099 of 2020

5.The Divisional Retail Sales Manager,
The Indian Oil Corporation Ltd.,
Madurai Division Office,
2nd Cross Road, Chokkikulam,
Madurai-625 002.

6.S.C.Meena

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Declaration, declaring the installation of Petrol Pump in the village residential area in S.No.731/10 in Pampanvilai, Vempannur Village, Agastheeswaram Taluk, Kanyakumari District by respondents 4 to 6, next to the petitioner's residential house, as illegal and consequently to direct the respondents to shift the said petrol pump to any other place away from the residential area within the time stipulated by this Court.

For Petitioner	:	Mr.S.Louis
For RR1 to 3	:	Mr.D.Ghandiraj Special Government Pleader
For RR4 & 5	:	Mr.K.Muralidharan Standing Counsel
For R6	:	Mr.H.Thayumanaswamy

ORDER

This writ petition is filed to issue a Writ of Declaration, declaring the installation of Petrol Pump in the village residential area in



W.P.(MD) No.7099 of 2020

S.No.731/10 in Pampanvilai, Vempannur Village, Agastheeswaram Taluk, Kanyakumari District by respondents 4 to 6, next to the petitioner's residential house, as illegal and consequently to direct the respondents to shift the said petrol pump to any other place away from the residential area.

2. Respondents 4 and 5 have filed a counter affidavit, wherein they have stated that the petrol pump has already been commissioned and the sixth respondent is running the same as a dealer.

3. In the light of the above, no further orders are required in this Writ Petition and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

24.03.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes

abr



WEB COPY



W.P.(MD) No.7099 of 2020

P.T.ASHA, J.

abr

To

- 1.The District Collector,
Collectorate, Nagercoil,
Kanyakumari District.
- 2.The District Revenue Officer,
O/o. The District Revenue Officer,
Nagercoil, Kanyakumari District.
- 3.The Superintendent of Police,
O/o. The Superintendent of Police,
29, Acharimar South 2nd Street,
Meenakshipuram, Vadiveeswaram Village,
Kanyakumari District-629 001.
- 4.The Executive Director,
The Indian Oil Corporation Ltd.,
Tamil Nadu State Office,
No.139, Nungambakkam High Road,
Chennai-600 034.
- 5.The Divisional Retail Sales Manager,
The Indian Oil Corporation Ltd.,
Madurai Division Office,
2nd Cross Road, Chokkikulam,
Madurai-625 002.

W.P.(MD) No.7099 of 2020

Dated: 24.03.2023