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W.P.(MD)NO.28473 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.28473 of 2022 and
W.M.P.(MD)No.22482 of 2022

K.Maruthu

... Petitioner

Vs.

1. The District Collector,
Ramanathapuram,
Ramanathapuram District – 623 503.
2. The District Revenue Officer,
Ramanathapuram,
Ramanathapuram District – 623 503.
3. The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District – 623 707.
4. The Assistant Director &
P.A. To Collector (Land Survey),
Ramanathapuram,
Ramanathapuram District – 623 503.
5. The Regional Manager,
Indian Oil Corporation Madurai,
Divisional Office,
No.2, Race Course Road, Chokkikulam,
Madurai – 625 002.
6. The Chief General Manager,
Indian Oil Corporation,
Southern Region,
No.139, Uthamar Gandhi Road,
Chennai – 600 034.



7. Bagavathi

8. Pothumponnu

9. Muthulakshmi

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order dated Nil-12-2022 made in Na.Ka.C2/4023/2021 passed by the 2nd respondent and quash the same.

For Petitioner : Mr.N.Tamilmani

For R-1 to R-4 : Mr.G.Suriyananth,
Additional Government Pleader.

For R-5 & R-6 : Mr.R.Muraleedharan,
Standing Counsel.

For R-7 : Mr.N.Dilipkumar

For R-8 & R-9 : Mr.M.Mohanasundaram

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ORDER

Heard the learned counsel on either side.



2. The petitioner challenges the issuance of no objection certificate issued by the District Revenue Officer, Ramanathapuram, in favour of the seventh respondent for putting up a fuel outlet. The stand of the petitioner is that over a portion of the land that is the subject matter of the impugned order, there is a civil dispute going on. The stand of the seventh respondent is that she has not purchased the disputed land of 2 cents at all. It is further asserted by the seventh respondent's counsel that it is in a different survey number altogether.

3. I do not want to go into the rival claims at this stage. It is seen from the impugned order that it has been made subject to the outcome of the civil litigation between the parties. This should more than take care of the writ petitioner's interest. If the petitioner is unsuccessful, certainly he will have no interest.

4. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

15.02.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU



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To:

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Ramanathapuram District – 623 503.
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Ramanathapuram,
Ramanathapuram District – 623 503.
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4. The Assistant Director &
P.A. To Collector (Land Survey),
Ramanathapuram,
Ramanathapuram District – 623 503.



WEB COPY



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G.R.SWAMINATHAN,J.

PMU

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