



W.P.No.10003 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2024

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CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. No.10003 of 2024
in
W.M.P.No. 11012 of 2024

G. Paramanandam

... Petitioner

Vs.

1. The District Collector,
District Collectorate,
A Block, 2nd Floor,
Vellore – 632 009.
2. The District Revenue Officer,
District Collectorate, Sathuvachary,
Vellore – 632 009.
3. The Revenue Divisional Officer,
Vellore Fort, Vasanthapuram,
Kosapet, Vellore – 632 009.
4. M/s. Indian Oil Corporation,
Chennai Divisional Office,
500, Anna Salai, Teynampet,
Chennai -600 018.
5. Joint Chief Controller of Explosives,
Petroleum & Explosives Safety Organization (PESO)
South Circle Office, Rukmani Lakshmipati Road,
Egmore, Chennai.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of Constitution of India, for issuance of writ of Certiorarified Mandamus calling for the records on the file of the second respondent in relation to the no objection certificate dated 25.06.2013 vide letter No. C2/36760/2012 and quash the same as illegal and forbear the fifth respondent from renewing the license in favour of the fourth respondent under petroleum rules.

For Petitioner	: Mr.M.Vijayan for Mr.K. Kulandai Velu
For R1 and R3	: Mr.U.Baranidharan Additional Government Pleader
For R4	: Mr.Mohamed Fayaz Ali Standing Counsel of IOCL

ORDER

The writ on hand has been instituted to quash the 'No Objection Certificate' dated 25.06.2013 vide letter No. C2/36760/2012 and forbear the fifth respondent from renewing the license in favour of the fourth respondent under petroleum rules.



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2. The petitioner was appointed as Retail Outlet Dealer and operating the Petrol Bunk from the year 2013 onwards.

3. Mr.M.Vijayan, learned Counsel for Mr.K. Kulandai Velu appearing on behalf of the petitioner would mainly contend that the subject land has been declared as a 'water body' by the Government Authorities. Therefore, the petitioner is not in a position to run the Retail Outlet and accordingly, removed all the infrastructures as per the directions of the Authorities of the Government. Thus, the petitioner admits that the Petrol Bunk as on today is not functional and they have removed all the infrastructures installed by the Indian Oil Corporation in the subject property.

4. Mr.Mohamed Fayaz Ali, learned Standing Counsel appearing on behalf of the Indian Oil Corporation/4th respondent would submit that the Contract was unilaterally canceled, which is impermissible. At the outset, all appropriate actions are taken against the dealer for the irregularities and the financial loss caused to the Corporation.



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5. Admittedly, the Petroleum Retail Outlet is not functional as on today. Therefore, 'No Objection Certificate' issued by the District Revenue Officer/2nd respondent lost its relevance. However, it is for the petitioner to approach the Authorities for cancellation of 'No Objection Certificate'. Since the Retail Petroleum Outlet is not functional, the question of quashing the 'No Objection Certificate' would not arise. It is brought to the notice of this Court that the petitioner has already filed W.P.No.19862 of 2023 before the Hon'ble Division Bench of this Court and the said writ petition was dismissed as withdrawn on 21.09.2023. Further, the petitioner had attended the mediation process in TNSLA No.3778/PIMS/56/2023-Pre-Institution Mediation State Legal Service Authority and it was closed.

6. Accordingly, this Writ Petition stands **dismissed** at the admission stage itself. No costs. Consequently, connected miscellaneous petition is closed.

12.04.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

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S.M.SUBRAMANIAM,J.

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