



WEB COPY



W.P.No.25379 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.25379 of 2021

C.Krishnan

...Petitioner

Vs.

1.The Regional Officer,
Hindustan Petroleum Corporation Limited,
Thalamuthu Natarajan Building - 4th Floor,
Post Box No.3045,
Gandhi Irwin Road,
Chennai 600 008

2.The District Collector,
Collectorate,
Krishnagiri

3.The District Revenue Officer,
Krishnagiri

4.K.N.Natarajan

5.Shalini Natarajan

6.Jeneth Natarajan

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India
praying to issue a Writ of Mandamus directing the 1st respondent to
cancel the license, if any issued to the Respondents 4 to 6 or any other
person claiming through them to run retail petrol bunk on the petitioner's



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property comprised having an extent of 1.42 Acre comprised in survey No.697 and out of 3.30 acres comprised in Survey No.700/1 out of which 2171.59 Sq. Mts. Land in Boganapalli Village in Krishnagiri District by considering the petitioner's representation dated 16.02.2021 within a reasonable period to be fixed by this court.

For Petitioner : Mr.V.Manohar

For Respondents

For R1 : Mr.Mohammed Fiyaz Ali

For R2 & 3 : Mr.S.J.Mohammed Sathik,
Government Advocate

For R4 to 6 : Mr.S.Sudarshan
for Mr.S.Subramanian

ORDER

This writ petition has been filed for direction to the first respondent to consider the representation submitted by the petitioner seeking cancellation of licence, if any issued in favour of respondents 4 to 6, to run retail petrol bunk in the property comprised having an extent of 1.42 Acre comprised in survey No.697 and out of 3.30 acres comprised in Survey No.700/1 out of which 2171.59 Sq. Mts. Land in Boganapalli Village in Krishnagiri District.



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2. The case of the petitioner is that the petitioner became the owner of the property admeasuring 1.42 acres comprised in survey No.697 and the land admeasuring 2171.59 sq.mtrs out of which 3.30 acres comprised in survey No.700/1 situated at Boganapalli Village, Krishnagiri District by way of registered sale deed dated 09.08.2010 from one Krishnan S/o Kullappan. In the very same property, already respondents 4 to 6 are running retail outlet of the first respondent and licenced. However, after expiry of the licence period, now without any licence, respondents 4 to 6 are running the petrol bunk. The further case of the petitioner is that they have no valid title over the property in which bunk is situated.

3. The learned counsel for respondents 4 to 6 submitted that the petitioner claims title over the property by way of registered sale deed dated 09.08.2010 which was already declared by the civil court in OS.No.30 of 2011 on the file of the District Munsif Court, Krishnagiri by the judgment and decree dated 04.07.2011 as null and void, as against which no appeal has been preferred so far and the judgment and decree



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passed in OS.No.30 of 2011 has become final. Therefore, the petitioner has no title over the subject property.

4. In view of the above, the prayer sought for in this writ petition cannot be considered. As such, this writ petition is devoid of merits and liable to be dismissed. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

25.06.2024

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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To

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G.K.ILANTHIRAIYAN, J.

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