



WP.No.39325/2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE P.DHANABAL

WP.No.39325/2024

&

WMP.No.42585/2024

S.Senthil Kumar

... Petitioner

Vs.

1.The District Collector
Coimbatore District
Coimbatore.

2.The District Revenue Officer
O/o.The District Revenue Officer
Coimbatore.

3.The Superintendent of Police
Coimbatore District, Coimbatore.

4.Joint Chief Controller Explosive, South Circle
A&D Wing, 1-B Block, 2nd Floor
Sastri Bhavan, NO.26, Haddows Road
Chennai 600 006.



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5. The Regional Manager
Hindustan Petroleum Corporation Limited
Petro Bhavan, 2nd Floor
New No.82, Old No.47, TTK Road
Alwarpet, Chennai 600 018.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus forbearing respondents 1 to 4 from issuing granting No objection Certificate/License/Approval etc under Rule 144 of the Petroleum Rules, for permitting the 5th respondent to open and operate a new road-side Petroleum Retail Outlet/Bunk or establishing a Retail Petroleum Outlet on the lands comprised in SF.No.483/6A1, situated in Mavutampatti Village, Madhukarai, Coimbatore District, abutting Cochin-Salem National Highway, in contravention of [i]G.O.[Ms].No.79 dated 04.05.2017 Housing and Urban Development [UD4[3]] Department [ii] the Tamil Nadu Fire, Safety and Rescue Department Rules ; [iii] the Indian Road Congress Guidelines and the [iv]conditions spelt out in Rule 144 of the Petroleum Rules.

For Petitioner	: Mr.B.Hari Krishnan
For RR 1 to 4	: Mr.M.Habeeb Rahman, GA
For R5	: Mr.Mohd. Fayaz Ali
	Standing counsel

ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

(1)The present writ petition has been filed seeking for issuance of a writ of mandamus to forbear respondents 1 to 4 from issuing/granting No objection Certificate/License/Approval etc under Rule 144 of the



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Petroleum Rules, for permitting the 5th respondent to open and operate a new road-side Petroleum Retail Outlet/Bunk or establishing a Retail Petroleum Outlet on the lands comprised in SF.No.483/6A1, situated in Mavutampatti Village, Madhukarai, Coimbatore District, abutting Cochin-Salem National Highway, in contravention of [i]G.O.[Ms].No.79 dated 04.05.2017 Housing and Urban Development [UD4[3]] Department [ii] the Tamil Nadu Fire, Safety and Rescue Department Rules ; [iii] the Indian Road Congress Guidelines and the [iv]conditions spelt out in Rule 144 of the Petroleum Rules.

(2)Mr.M.Habeeb Rahman, learned Government Advocate accepts notice on behalf of the respondents 1 to 4 and Mr.Mohd.Fayaz Ali, learned Standing counsel accepts notice on behalf of the 5th respondent.

(3)The learned Special Government Pleader submitted that No Objection has been granted by the District Revenue Officer and therefore, the prayer in the writ petition has become infructuous.

(4)The learned counsel for the petitioner states that the order passed by the District Revenue Officer is not served on the petitioner.

(5)Therefore, with a direction to the respondents to serve a copy of the No



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Objection Certificate issued by the District Revenue Officer, this writ petition stands **disposed of**. Liberty is preserved to the petitioner to challenge the No Objection Certificate or to file an application for cancellation or revocation of the NOC. No costs. Consequently, connected miscellaneous petition is closed.

[S.S.S.R., J.] [P.D.B., J.]
21.12.2024

AP

Internet : Yes



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To

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