



W.P(MD)No.3800 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.02.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3800 of 2024
and
W.M.P(MD)No.3703 of 2024

Saw.Ga.Swaminathan

... Petitioner

Vs.

1.The District Revenue Officer /
Licensing Authority,
Sivagangai.

2.The Station Officer,
Fire & Rescue Services,
Karaikudi.

3.The Commissioner,
Karaikudi Municipality,
Karaikudi.

4.The Tahsildar,
Karaikudi.

5.The Chief Divisional Retails Sales Manager,
Indian Oil Corporation (Madurai Region),
No.2, Race Course Road,
Chokkikulam, Madurai – 2.



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6.Antony Xavier George

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 5 to conduct enquiry, verify the records and after field inspection for establishment of new petrol bunk applied by the sixth respondent and grant such other and further relief which this Court deems fit and proper in the circumstances of this case.

For Petitioner : Mr.RM.Arun Swaminathan

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader
for R.1, R.2 & R.4

Mr.D.Venkatesh for R.3

Mr.Mohammed Athiff for R.5

Mr.A.Srinivasan for R.6

ORDER

Heard both sides.

2.The grievance of the petitioner is that on his patta land, the sixth respondent is being allowed to put up a petrol bunk. The learned counsel



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appearing for the sixth respondent on the other hand disputes the said assertion.

3.*Prima facie* I am of the view that it is a clear case of civil dispute between the petitioner on the one hand and the sixth respondent on the other. The writ prayer has been generally worded. I am not in a position to grant relief. It is stated that the first respondent has given “No Objection Certificate” in favour of the sixth respondent.

4.The first respondent is directed to furnish a copy of the said “No Objection Certificate” and all the other related documents to the petitioner immediately and without delay so that the petitioner can avail appropriate remedies. The petitioner is permitted to apply under RTI Act for being served with copies of the No Objection Certificate and related documents. On such application is being filed, the same will be honoured immediately by the jurisdictional PIO (Public Information Officer). Beyond this direction, I cannot interfere at this stage. I make it clear that the closure of this writ petition will not cast any cloud on the petitioner's rights.



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5. With this direction to the first respondent, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

20.02.2024

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

Note: Issue order copy on 22.02.2024.

To

1. The District Revenue Officer /
Licensing Authority,
Sivagangai.
2. The Station Officer,
Fire & Rescue Services,
Karaikudi.
3. The Tahsildar,
Karaikudi.



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G.R.SWAMINATHAN, J.

MGA

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and
W.M.P(MD)No.3703 of 2024

20.02.2024