



W.P.No.9204 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 17.03.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.9204 of 2025
& W.M.P.No.10309 of 2025

P.Sathish Kumar,
S/o Mr.S Ponnuswamy,
No. 14, Gurusamy Pillai Street,
Coimbatore South,
Coimbatore.

... Petitioner

/versus/

1. The District Collector,
Coimbatore District,
Coimbatore- 641 018.

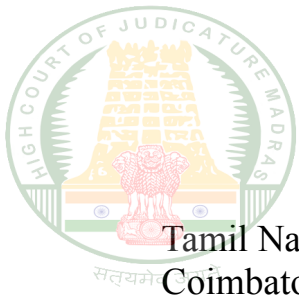
2. The District Revenue Officer,
Coimbatore District,
Coimbatore- 641 018.

3. The Revenue Divisional Officer (Revenue),
Coimbatore South,
Coimbatore- 641 018.

4. The District Fire Officer,
Coimbatore District,
Coimbatore.

5. The Divisional Engineer,

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Tamil Nadu High Ways Department,
Coimbatore- 641 018.

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6. The Regional Manager,
Bharath Petroleum Corporation Limited,
Regional Office,
No.162, Avinashi Road,
Near Hope College Signal,
Peelamedu, Coimbatore- 641004.

7. Mr. Sreekanth C A,

... Respondents

Prayer: Writ Petition has been filed under Article 226 of Constitution of India, Writ of Mandamus, forbearing the Respondent No.1 to 5 from issuing Objection Certificate of permission for installation of a new petrol retail outlet to the 7th respondent at a site comprised in S.F.No.305/3C2 situated at Malumichapatti Village, Madukarai Taluk, Coimbatore District in lieu of G.O.(Ms) No.25/2022 dated 24.02.2022 issued by the Highways and Minor Ports (HN.2) Department and based the petitioner's objection dated 10.02.2025.

For Petitioner : Mr.P.V.Balasubramanian, Senior Counsel,
for Mr.Manoj Kumar. N.

For Respondents : Mr.V.Manoharan,
Additional Government Pleader, for R1 to R5

ORDER



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This writ petition is filed for a mandamus, to forbear the respondents 1 to 5 from issuing No Objection Certificate or permission for installation of new petrol retail outlet to the 7th respondent at a site comprised in S.F.No.305/3C2 situated at Malumichampatti village, Madukkarai Taluk, Coimbatore District in lieu of G.O.(Ms).No.25/2022, dated 24.02.2022 based on the petitioner's objection dated 10.02.2025.

2. Upon hearing the Learned Senior Counsel appearing on behalf of the petitioner and perusing the affidavit filed in support of the writ petition as well as the said objections, the grievance of the petitioner seems to be that when the 6th and 7th respondent are approaching the various statutory authorities, namely, the respondents 1 to 5 for issue of No objection Certificate, Licence, etc. The site which is proposed is violative of many of the siting criteria and other mandatory criteria. Therefore, the petitioner has sent objections.



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3. In view of the order that is proposed to be passed by this Court, this

writ petition is disposed of at the admission stage without notice to the respondents 6 and 7, as this Court is not deciding any of the merits of the objections raised or with reference to the *inter se* rights of the petitioner vis-a-vis., the respondents 6 and 7.

4. The prayer to forbear the respondents cannot be considered. The respondents 1 to 5 can consider the objections that are submitted by the petitioner also while passing their respective orders. In view thereof, this writ petition is disposed of on the following terms:

(i) The respondents 1 to 5 while considering the respective statutory exercise of issuing NOC, licence, etc., shall take into consideration the objections that are submitted by the petitioner dated 10.02.2025 and 13.02.2025, the authorities shall conduct an enquiry by granting appropriate opportunity to the petitioner and also the respondents 6 and 7 to respond to the objections and thereafter, decide the matter in accordance with law.



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5. With the above observation, the writ petition stands disposed of.

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17.03.2025

Neutral Citation : No.

bsm

To,

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Coimbatore District,
Coimbatore- 641 018.

2. The District Revenue Officer,
Coimbatore District,
Coimbatore- 641 018.

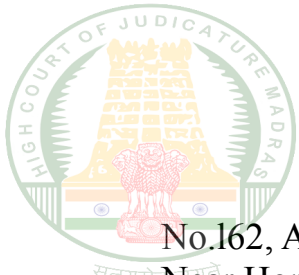
3. The Revenue Divisional Officer (Revenue),
Coimbatore South,
Coimbatore- 641 018.

4. The District Fire Officer,
Coimbatore District,
Coimbatore.

5. The Divisional Engineer,
Tamil Nadu High Ways Department,
Coimbatore- 641 018.

6. The Regional Manager,
Bharath Petroleum Corporation Limited,
Regional Office,

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No.162, Avinashi Road,
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7. The Government Pleader, High Court, Madras.



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