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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

**WP No. 15819 of 2022
and WMP No. 15110 of 2022**

Ms.Kavitha Sathyamoorthi

Petitioner(s)

Vs

1. Hindustan Petroleum corporation Limited
Salem Retail Regional Office,
"GK Towers", Level 4,
Door No. 395/2, First Main Road,
New Fairlands, Salem 636016.

2.The District Revenue Officer
District Collectorate,
Krishnagiri District.

3.The Divisional Engineer (C & M)
Highways Department,
Krishnagiri District.

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for
issuance of a Writ of Certiorarified Mandamus, to direct the respondents to call



for the records comprised in Na.Ka.No.140/2022/E.Va.A.-1 dated 22.02.2022, on the file of 3rd respondent, quash the same and consequently direct the 2nd respondent to issue NOC for the establishment for the retail MS/HSD outlet Dealership at NEDUSALAI ON KOTHA KRISHNAPALLI ROAD District Krishnagiri under OPEN Category in Survey No. 136/3A, 3B at Sennasandiram Village, Krishnagiri Taluk, in favour of the petitioner.

For Petitioner(s): Mr.E.V.Chandru

For Respondent(s): Mr.MVijayan
for King And Partridge for R1
Mr.P.Ganesan
Additional Government Pleader
for R2 and R3

ORDER

This writ petition has been filed challenging the proceedings of the 3rd respondent dated 22.02.2022 and for a consequential direction to the 2nd respondent to issue No Objection Certificate for establishment of the retail outlet at Survey No.136/3A, 3B at Sennasandiram Village, Krishnagiri Taluk.

2.Heard Mr.E.V.Chandru, learned counsel appearing on behalf of the petitioner, Mr.M.Vijayan, learned Counsel appearing on behalf of the 1st



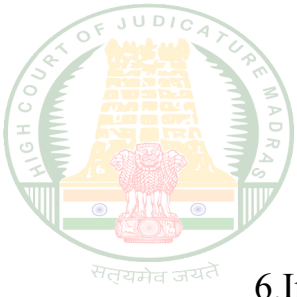
respondent and Mr.P.Ganesan, learned Additional Government Pleader appearing on behalf of respondents 2 and 3.

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3.It is seen from records that the petitioner has received No Objection Certificate from all the other authorities and whereas, the 3rd respondent alone through proceedings dated 22.02.2022 has refused to issue No Objection Certificate by citing Indian Road Congress (IRC) 12-2009 Guidelines.

4.This Court has repeatedly held that the IRC norms are meant to be used only on highways alone and that apart they are only recommendatory in nature and not mandatory. In view of the same, the 3rd respondent should not have rejected the No Objection Certificate by citing IRC.

5.In the light of the above discussion, the impugned proceedings of the 3rd respondent dated 22.02.2022, is hereby quashed and there shall be a direction to the 2nd respondent to issue No Objection Certificate to the petitioner, within a period of four weeks from the date of receipt of copy of this order.



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6. In the result, this writ petition stands allowed with the above directions.

No Costs. Consequently, connected miscellaneous petition is closed.

10-06-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssr



To
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Limited
Salem Retail Regional Office, GK
Towers, Level 4, Door No. 395/2, First
Main Road, New Fairlands, Salem
636016.

2.The District Revenue Officer
District Collectorate,
Krishnagiri District.

3.The Divisional Engineer (C And M)
Highways Department,
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N.ANAND VENKATESH J.

SSR

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