



WEB COPY

WP No. 19993 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 19993 of 2025

AND

WMP NO. 22544 OF 2025

1. K.Rajeshwari
W/o.Late.V.Kumar Alias Karuppusamy,
10/160, Vanjipalayam, Nizhali,
Koduvai, Kangayam Taluk Tiruppur
District

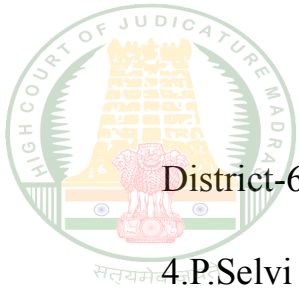
Petitioner(s)

Vs

1. The Indian Oil Corporation Ltd
Rep by its Manager, Zonal Office,
8/1079, Avinashi Road,
Coimbatore-641 018

2.V.Palaniammal
W/o.Late.M.Velusamy, Door No.1/263,
Andipalayam, Tiruppur South Taluk,
Tiruppur District-641 687

3.G.Rajeshwari
W/o.Ganesan, Door No.2, 7th Street,
Mangalam Road, Karuvampalayam,
Tiruppur South Taluk, Tiruppur



District-641 604

4.P.Selvi

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W/o.Palanisamy, D.No.18/39,
Convent Street, Sevrur Road, Avinashi,
Avinashi Taluk, Tiruppur District-641
655

5.V.Kausalyadevi

D/o.Late.Velusamy, Door No.1/263
Aandipalayam, Tiruppur South Taluk,
Tiruppur District-641687

6.Kavin Nithyeash Kumar

S/o.Palanisamy, D.No.18/39 Convent
Street, Sevrur Road, Avinashi,
Avinashi Taluk, Tiruppur District-
641655

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Mandamus directing the 1st respondent to defer the grant of approval for establishing a Petrol Bunk by the 6th respondent in the subject matter land measuring 87 cents in Survey No.258/1 including the Sub Divided property of 25 cents in Sub divided survey No.258/1H1B in Andipalayam village, Tiruppur south Taluk, Tiruppur by considering the representation of the petitioner dated 29.5.2025 and pass orders.

For Petitioner(s): Mr.N.S.Suganthan

For Respondent: Mr.R.Sreedhar

Standing counsel for 1st



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respondent.

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 1st respondent to defer the grant of approval for establishing a petrol bunk by the 6th respondent in the subject property by considering the representation made by the petitioner on 29.05.2025.

2. Heard Mr.N.S.Suganathan, learned counsel for the petitioner and Mr.R.Sreedhar, learned Standing counsel for the 1st respondent.

3. It is seen from records that the petitioner has already approached a Civil Court and filed a suit for partition in OS. No.425 of 2025 before the Principal District Court, Tiruppur. An application seeking for interim injunction was also filed to restrain the 6th respondent from establishing any petrol bunk in the subject property. Notice has been ordered and when the same is pending, the present writ petition has been filed before this Court to restrain the 1st respondent from granting approval for establishing a petrol bunk by the 6th respondent in the subject property.

4. In the considered view of this Court, when the substantive dispute is before the Civil Court, a Writ Court cannot be approached for the sake of getting an interim order. The law on this issue is now too well settled. Hence,



it is left open to the petitioner to prosecute the application which has already been filed in the Court seeking for interim injunction restraining the grant of approval to the 6th respondent to establish a petrol bunk. It goes without saying that the Trial Court will dispose of this application as expeditiously as possible after affording an opportunity to all the parties concerned. Except giving this clarity, no further orders can be passed in this writ petition.

5. This writ petition is disposed of in the above terms. No costs. Consequently, the connected miscellaneous petition is closed.

04-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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