



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 22958 of 2025

N.S.Ramesh

Petitioner(s)

Vs

1.The District Collector
District Collectorate,
Thiruvallur District.

2.The District Revenue Officer
Thiruvallur District, Thiruvallur.

3.M/s.Bharath Petroleum Corporation
Ltd,
Rep By Authorized Agent,
35, Vaithiyanathan Street, Tondiarpet,
Chennai 81.

4.Gunamma

Respondent(s)

PRAYER

Calling for records of the 2nd respondent dated 19.05.2025 vide Na.Ka.No. 1599243/2023/M.3 and quash the same as unconstitutional and illegal thereby



consequently direct the respondents to grant No objection certificate for setting up a Petrol retail Outlet in S.No.61/3, 61/4 and 61/5 situated at Egumadurai Village, Gummidipoondi Taluk, Tiruvallur District to the extent of 0.31.5 Ares.

For Petitioner(s): Mr.Harikrishnan
For Mr.E.Prabu

For Respondent(s): Mr.G.Velu, AFP For R1 & R2
Mr.P.Dhananjayan For R4

ORDER

This writ petition has been filed challenging the impugned proceedings of the 2nd respondent dated 19.05.2025 and for a consequential direction to the 2nd respondent to grant No objection Certificate (NOC) in order to enable the petitioner to set up a petroleum retail outlet in the subject property.

2. Heard Mr.Harikrishnan, learned counsel for the petitioner, Mr.G.Velu, learned Additional Government Pleader appearing on behalf of the respondents 1 and 2 and Mr.P.Dhananjayan, learned counsel for the 4th respondent.



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3. The petitioner applied and obtained an allotment from the 3rd respondent for establishing a petrol retail outlet in the subject property. The petitioner sought for No Objection Certificate (NOC) from the 2nd respondent. The same has been refused by the 2nd respondent on the ground that the 4th respondent has filed a suit for partition in O.S.No.453 of 2023, which is currently pending. Aggrieved by this refusal, the petitioner has filed the present writ petition before this Court.

4. When the matter was taken up for hearing today, written instructions received from the 2nd respondent was placed before this Court. The 2nd respondent has stated that since the partition suit filed by the 4th respondent is pending, No Objection Certificate (NOC) was not given to the petitioner. Instead, the petitioner was directed to obtain No Objection Certificate (NOC) from the 4th respondent.

5. In the considered view of this Court, Rule 144 of the Petroleum Rules, 2002 governs the field. If the No Objection Certificate (NOC) is rejected, the



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reason has to be traced only from the clauses provided under Rule 144. Just because a partition suit has been filed by the 4th respondent seeking for a share in the property, that is not a valid ground for rejecting grant of No Objection Certificate (NOC) to the petitioner. This is in view of the fact that the 4th respondent has not obtained any restraint order against the petitioner from utilizing the property. Ultimately, if the 4th respondent is awarded a share in the property, such a share will enure in favour of the 4th respondent along with whatever developments that have taken place over the property.

6. In light of the above discussion, this Court finds that the reason assigned by the 2nd respondent for the rejection of No Objection Certificate (NOC) is unsustainable and the same is liable to be interfered. Accordingly, the proceedings of the 2nd respondent dated 19.05.2025 is set aside and there shall be a direction to the 2nd respondent to grant No Objection Certificate (NOC) to the petitioner within a period of four (4) weeks from the date of receipt of a copy of this order. Insofar as the private dispute between the petitioner and the 4th respondent is concerned, the present order passed in the writ petition will



have no bearing and it will be dealt with by the concerned Court on its own merits and in accordance with law.

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7. In result, this Writ Petition is allowed with the above directions. No costs.

20-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The District Collector

District Collectorate, Thiruvallur
District

2. The District Revenue Officer

Thiruvallur District, Thiruvallur



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