



W.P.No.26391 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 07.01.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

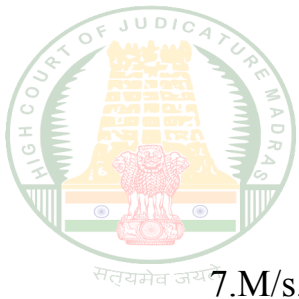
W.P.No.26391 of 2024
and
W.M.P.No.43138 of 2024

S.Gopalakrishnan

... Petitioner

VS.

- 1.The District Revenue Officer,
Coimbatore District,
Tamilnadu.
- 2.The Divisional Engineer,
Highway Department (Construction and Maintenance)
Coimbatore.
- 3.The Superintendent of Police,
Office of Superintendent of Police,
Coimbatore.
- 4.The District Officer,
Fire, Rescue Services,
Coimbatore District, Coimbatore-641018.
- 5.The Revenue Divisional Officer,
Coimbatore (South), Coimbatore.
- 6.The Tahsildar,
Sulur, Coimbatore.



W.P.No.26391 of 2024

WEB COPY

7.M/s.Nayara Energy Limited,
Coimbatore Division,
5th Floor, Mayflower Valencia,
326/2, Avinashi Road, Nava India,
Coimbatore - 641004

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for entire records pertaining to the impugned order dated 31.07.2024 in Moo.Mu.1032/2024/J1 on the file of the 1st Respondent, quash the same and consequently direct the 1st respondent to issue No Objection Certificate (NOC) for the establishment of the retail MS/HSD outlet in Survey No. 907A/2B, Karumathampatti Village, Sulur Taluk, Coimbatore, 641659 in favour of the petitioner.

For Petitioner : Mr.G.Govarthanan

For R1, R5 and R6 : Mr.V.Ramesh
Government Advocate

For R2 and R4 : Mr.G.Ameedius
Government Advocate

ORDER

The Writ Petition is filed challenging the order passed by the 1st respondent in Moo.Mu.1032/2024/J1, dated 31.07.2024 rejecting the



W.P.No.26391 of 2024

application filed by the petitioner seeking 'No Objection Certificate' for running a Petrol Bunk in Survey No. 907A/2B, Karumathampatti Village, Sulur Taluk, Coimbatore.

2. The 7th respondent herein issued a Letter of Allotment in favour of the petitioner for running a new retail outlet of petroleum products pursuant to the application of the petitioner dated 10.01.2024. The petitioner herein submitted an application before the 1st respondent seeking 'No Objection Certificate' for running petroleum retail outlet in the above mentioned place. The site was inspected by jurisdictional Police Inspector and a communication was sent to the 3rd respondent regarding 'No Objection Certificate'. The 1st respondent without considering any of the documents submitted by the petitioner, by order dated 31.07.2024 rejected the application of the petitioner seeking 'No Objection Certificate' for opening retail outlet. Aggrieved by the same, the petitioner has come before this Court.

3. A perusal of the impugned order passed by the 1st respondent would suggest that the application of the petitioner for No Objection



W.P.No.26391 of 2024

Certificate was rejected by the 1st respondent by pointing out various defects

in the plan submitted by the petitioner.

4. The learned counsel appearing for the petitioner submitted that subsequent to the impugned order, the petitioner prepared a new plan for the site curing the defects pointed out by the 1st respondent and got approval from the Ministry of Commerce and Industry, Government of India. The new plan prepared by the petitioner is enclosed in the additional typed-set of papers filed by the petitioner dated 07.01.2025.

5. Since the petitioner prepared a new plan curing the defects pointed by the 1st respondent, the petitioner is directed to resubmit his application seeking 'No Objection Certificate' along with new plan prepared by him before the 1st respondent, within a period of two weeks from the date of receipt of copy of this order. The 1st respondent is directed to consider the new plan to be submitted by the petitioner and pass necessary final orders on its own merits and in accordance with law, within a period of eight weeks from the date of submission of the new plan by the petitioner, after giving reasonable opportunity to the petitioner.



W.P.No.26391 of 2024

6. With the above directions, the Writ Petition stands disposed of. No

costs. Consequently, the connected writ miscellaneous petition is closed.

07.01.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm

To

- 1.The District Revenue Officer,
Coimbatore District,
Tamilnadu.
- 2.The Divisional Engineer,
Highway Department (Construction and Maintenance)
Coimbatore.
- 3.The Superintendent of Police,
Office of Superintendent of Police,
Coimbatore.
- 4.The District Officer,
Fire, Rescue Services,
Coimbatore District, Coimbatore-641018.
- 5.The Revenue Divisional Officer,
Coimbatore (South), Coimbatore.
- 6.The Tahsildar,
Sulur, Coimbatore.



WEB COPY



W.P.No.26391 of 2024

S.SOUNTHAR, J.

dm

W.P.No.26391 of 2024

07.01.2025