



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

**WP No. 33436 of 2024
and WMP No. 36217 of 2024**

S.Ramesh

Petitioner(s)

Vs

1. The General Manager
Retail Sales,
Indian Oil Corporation Limited
Divisional Office,
No.500, Anna Salai,
Teynampet, Chennai-18.

2.The Chief Manager
Divisional Office,
No.500, Anna Salai,
Teynampet, Chennai-18.

3.The Manager
Indian Oil Corporation,
Lock No.1071,
No.14, Officers Lane,
Vellore District,
Vellore- 632 001.



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4.The District Revenue Officer
Vellore District,
Vellore.

5.Station Fire and Rescue Officer
Fire Station Vellore, Vellore.

6.Village Administrative Officer
Kilarasampatti Village,
Vellore Taluk,
Vellore District.

7.The Executive Engineer
2nd East Main Road,
Suthanthira Ponvizha Nagar,
Gandhi Nagar, Vellore- 632 006.

8.The Junior Executive Engineer
Tamil Nadu Electricity Board,
Kilasarampatti Village and Post,
Vellore- 632 312.

9.Mrs.Ambika

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to cancel the permission granted to the 9th respondent for running fuel station nearer to the petitioner's fuel station for which he has made a representation dated 25.03.2024 and also direct the competent authority to conduct spot inspection on the land in which the 9th respondent is proposed to construct fuel station.



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For Petitioner(s): Mr.R.Malaichamy

For Respondent(s): Mr.Mohammed Fayaz Ali
for R1 to R3
Mr.C.Kathiravan
Special Government Pleader
for R4 to R7
Mr.S.Madhusudanan for R8

ORDER

This writ petition has been filed for a direction to the respondents 1 to 3 to cancel the permission granted to the 9th respondent for running the fuel station based on the representation made by the petitioner on 25.03.2024.

2.The petitioner has objected to the permission granted by respondents 1 to 3 to the 9th respondent mainly on the ground that the petitioner already has a fuel station and now the 9th respondent is permitted to run a fuel station, within 250 meters. The other ground that has been raised is that the property that has been chosen is an agricultural land.

3.The respondents 1 to 3 have filed a counter affidavit. They have taken the following stand in the counter affidavit:



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10.I submit that the averments contained in paragraph Nos. 1 and 2 of the affidavit filed by the Petitioner is matter of fact. With regard to the averments contained in

11.paragraph Nos. 3 to 5, it is seen that the Petitioner is business rival of the Respondent herein and for his personal gain is preventing other retail outlets from commissioning even though they are in conformation with the statutory norms. Therefore, I submit that the Petitioner has filed this writ petition in bad faith.

12. I deny the averments contained in paragraph Nos. 6 and 7 of the affidavit filed by the Petitioner as false and incorrect. I submit that the proposed site is in conformity with the distance norms of the G.O. Ms. No. 25 of 2022. Therefore, it is false to state that the proposed site is nearest to the Petitioners retail outlet and that the construction of the retail outlet is against the procedures laid down by the Respondent herein.

13. I deny the averments contained in paragraph Nos. 8 and 9 of the affidavit filed by the Petitioner as false and incorrect. I submit that there is no water channel flowing into any agricultural land nearby. I submit that as per G.O.Ms No.25 dated 24.02.2022

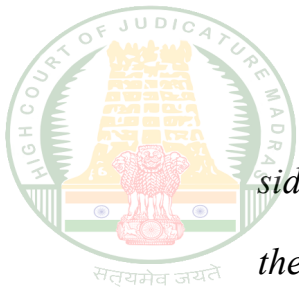


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the norms applicable for distance between two fuel stations is 200 mtr. The Petitioner himself has accepted that the distance between his fuel station and the proposed site is 250 mtr. Hence, it is not in violation of the said GO. I further submit that, the Petitioner's allegation that the land is an agricultural land and that it is a way for a water channel to flow into the agricultural land nearby is false. The Petitioner has not filed any document to substantiate its claim. Therefore, it is false to state that there is a lake on either side of the said land.

14. With regard to the averments contained in paragraph Nos. 10 to 13 of the affidavit filed by the Petitioner, I submit that all advancements made pertaining to the electrical connection and shifting of the transformer from the proposed RO site were made by the TNEB after due inspection and approval. Therefore, it is false to state that the 7th and 8th Respondent have granted electricity connection and permission to shift the transformer without inspecting the 9th Respondent's land i.e., proposed RO site.

15. I deny the averments contained in paragraph Nos. 14 to 17 and the grounds a to c of the affidavit filed by the Petitioner as false and incorrect. I reiterate that there is no lake ditch on either



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side for the rain water to flow into any agricultural land nearby the 9th Respondent's RO site. I submit that the 9th Respondent's application was made under Group-2, ie the land belongs to one Mr Natarajan and the 9th Respondent has submitted Appendix III from Mr Natarajan and has been suitably selected, which is in line with Policy, the LEC and FVC was found satisfactory and therefore, a Letter of Intent dated 30/12/2023 was issued in favour of the 9th Respondent. I further reiterate that as per G.O. Ms No.25 dated 24.02.2022, the norms applicable for distance between two fuel stations is 200 mtr for a land situated on major district roads/other district roads and in the present case, the distance is 260 mts which is within the prescribed norms. The Petitioner himself has accepted that the distance between his fuel station and the proposed site is 250 mtr. Hence, it is not in violation of the said GO. Therefore, it is false to state that the land offered by the 9th Respondent was not inspected by the Respondent herein.

16. In view of the above, the writ petition is liable to be dismissed on the ground that the Petitioner is a business rival and has no locus standi to pursue this writ petition. Further, the Respondent has not violated any of the norms of the G.O. Ms. 25 of 2022. The present writ petition lacks Bonafide and has been



initiated only for the purposes of personal gains. The writ petition has no merits and is therefore required to be dismissed.

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4. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

5. It is quite clear from the counter affidavit filed by respondents 1 to 3 that as per G.O.Ms.No.25, dated 24.02.2022, the distance between two fuel stations is only 200 meters. Whereas, the fuel station which is now proposed to be located by the 9th respondent is at a distance of 260 meters from the retail outlet of the petitioner. It is also mentioned that the property in which the fuel station is going to be located is not an agricultural land and the stand taken by the petitioner as if there is a water channel flowing into nearby agricultural lands, is stoutly denied. The petitioner has not established that the subject property is an agricultural land.

6. In the considered view of this Court, the petitioner is none other than a rival business man who does not want the 9th respondent to run his retail outlet.



This Court has repeatedly held that such rival business man cannot question the allotment of the retail outlet and he does not have the *locus standi* to maintain such a writ petition.

7.This Court does not find any merits in this writ petition and accordingly, this writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

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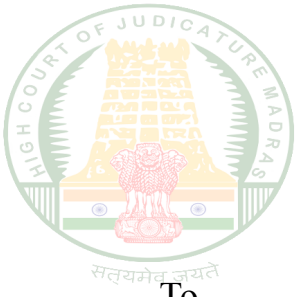
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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N.ANAND VENKATESH J.

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