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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29-10-2026

CORAM

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

WP(MD) No. 22748 of 2017

CNR:{HCMD011236612017}

WMP (MD) No.12210 of 2018

1. K.Vanni
   (died)

2. V.Lalitha,
   W/o.K.Vanni,
   F7, R.T.Apartments, First Main Road,
   Ramalinga Nagar, Trichy - 602 003.

3. V.Manohar,
   S/o.K.Vanni,
   F7, R.T.Apartments, First Main Road,
   Ramalinga Nagar, Trichy - 602 003.

4. B.Vijayalakshmi,
   W/o.V.Baskar,
   F7, R.T.Apartments, First Main Road,
   Ramalinga Nagar, Trichy - 602 003.

5. Minor.Vaibhav,
   S/o.V.Baskar,
   Represented by mother and natural guardian
   F7, R.T.Apartments, First Main Road,
   Ramalinga Nagar, Trichy - 602 003.

6. Saradha,
   D/o.K.Vanni,
   F7, R.T.Apartments, First Main Road,
   Ramalinga Nagar, Trichy - 602 003.
   (P2 to P6 are Substituted vide court order dated.07.01.2025 in WMP(MD). 25169/2024 in WP(MD).22748/2017 by KBJ)

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..Petitioner(s)

Vs

1. The Principal Secretary /
   Transport Commissioner, Chepauk, Chennai 600 005

2. The District Revenue Officer
   Trichy

3. The Senior Divisional Manager
   (retail Sales) Indian Oil Corporation Limited,
   Trichy Division Office, 3f, B-35, Shastri Road,
   Thillai Nagar, Trichy 18

..Respondent(s)

PRAYER: To issue a Writ of Certiorarified Mandamus calling for the records on the file of the respondents relating to (a) the order passed by the 1st Respondent dated 20.10.2017 in R.No.886/M2/2016 and (b) that of the 2nd Respondent dated 31.03.2015 in Na.Ka.No.D2/13950/2013 and quash the same and consequently direct the 2nd respondent to issue the No objection certificate to the petitioner for the setting up of the petrol / diesel retail outlet at the petitioners property comprised in S.F.No.164/12B2..

For Petitioner(s) :M/s T. Saikrishnan

For Respondent(s) :Mr.R.Parthiban, Spl. Govt. Pleader
For R1 and R2
K.Muraleedharan for R3

ORDER

Upon receipt of a letter of intent from the Indian Oil Corporation Limited on 15.10.2012 to set up a retail fuel outlet, the petitioner applied for a No Objection Certificate from the District Revenue Officer. The

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District Revenue Officer rejected the petitioner's request for NOC. An appeal was lodged before the Principal Secretary/Transport Commissioner. The appeal was also rejected.

2. Referring to the report of the Revenue Divisional Officer, learned counsel for the petitioner points out that the Revenue Divisional Officer had recommended that a No Objection Certificate be issued after considering the distance between the retail fuel outlet and the cremation ground as also the objection relating to the water channel.

3. Appearing on behalf of the first and second respondents, in all fairness, learned Special Government Pleader submits that reconsideration may be warranted in view of the lack of reasoning in the appellate order of the Principal Secretary.

4. As pointed out by learned counsel for the petitioner, the recommendation of the Revenue Divisional Officer is in favour of grant of NOC. Such recommendation appears to take note of the objections in relation to the grant of such NOC. In those circumstances, while considering the petitioner's appeal, the Principal Secretary should have engaged with the submissions on an independent basis and entered

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findings upon analysis. Instead, the appellate authority merely refers to the earlier proceedings and thereafter concludes that the decision of the District Revenue Officer, Tiruchirappalli, is correct.

5. In view of the said appellate order being unreasoned, said order is set aside and the matter is remanded to the Principal Secretary/Transport Commissioner for reconsideration. Considering the efflux of several years, the first respondent is directed to pass a reasoned order upon remand within three months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner.

6. The writ petition stands disposed of on the above terms. No costs. Consequently, the connected miscellaneous petition is closed.

29-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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SENTHILKUMAR RAMAMOORTHY, J.
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