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W.P.No.17039 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WP Nos.17039 of 2026
and WMP Nos.18344 and 8343 of 2026

S.Saravanan
S/o.Subramanian
Vathimarathuhalli Village,
Kiddampatty Post, Papparapatty (Via),
Pennagaram Taluk,
Dharmapuri District.

Petitioner(s)

Vs

1. The District Collector
Dharmapuri - 636 705.
2. The District Revenue Officer
Dharmapuri - 636 705.
3. The Revenue Divisional Officer
Dharmapuri - 636 705.
4. The Chief General Manager
Hindustan Petroleum Corporation Ltd,
GMO(SZ), Thalamuthu Natarajan Building,
Egmore, Chennai – 600 008.



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5. The Regional Manager
Hindustan Petroleum Corporation Ltd,
Salem Retail Regional Office, GK Towers,
Level 4, No.395/2, First Main Road,
New Fair Lands, Salem - 636 016.
6. The Joint Chief Controller of Explosives
No.26, Shastri Bhavan, Block 1-8 Wing,
A and D, Second Floor, Haddows Road,
Nungambakkam, Chennai – 600 034.
7. G.Ragavendra, S/o.Govindan
No.88, Adi Dravidar Colony, Pennagaram
Taluk, Dharmapuri District.

Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus to call for records of the 2nd respondent relating to the impugned order in Na.Ka.26673/2022/C13 dated 05.01.2026 and quash the same as illegal and consequently direct the 2nd respondent, the District Revenue Officer, not issue a No Objection Certificate to the 7th respondent or any other respondent without scrupulously follow the siting criteria stipulated in the guidelines of Central Pollution Control Board issued in their OM No.13011/1/2019-20/AQM dated 07.01.2020 and Addendum OM No.13011/1/2019-20/AQM, dated 16.08.2021 for setting up of a retail outlet petrol bunk in S.No.374/3C and 375/1A1 in Papparapatti Village, Pennagaram Taluk, Dharmapuri District in Thithiyopanahalli between Papparapatti to Pennagaram on SH 224.

For Petitioner(s): Ms.Z.Rifa Fathima
for M/s.G.Mohammed Aseef



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For Respondent: Mr.Mohammed Fayaz Ali
Government Pleader
for R1 to R3

Mr.M.Vijayan
for M/s.King and Partridge
for R4 and R5

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The present writ petition has been filed by the petitioner, claiming to be a social activist and permanent resident of Pappalapatti Village, Pennagaram Taluk, Dharmapuri District, in the nature of a public interest litigation. The petitioner seeks issuance of a writ of certiorarified mandamus to quash the order dated 05.01.2026 passed by the second respondent, and to restrain the respondent authorities from issuing any No Objection Certificate to the seventh respondent for establishment of a retail outlet petrol bunk at Survey Nos.374/3C and 375/1A1 in Pappalapatti Village, Pennagaram Taluk, Dharmapuri District, on the ground that the proposed site violates the siting criteria prescribed by the Central Pollution Control Board in its Office Memorandum dated 07.01.2020 and Addendum dated 16.08.2021.



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2.1. Learned counsel for the petitioner submits that the second respondent has failed to follow the guidelines issued by the Central Pollution Control Board in its Memorandum dated 07.01.2020 and Addendum dated 16.08.2021, which mandate that retail outlets shall not be located within a distance of 50 metres from the nearest point of surface water bodies.

2.2. It is further submitted that the proposed site is part of an agricultural zone with an existing water channel network; the nearest marked water course is about 40 metres away, and a larger canal system flows through nearby fields, passing under the road via a pipe culvert. A significant irrigation tank called "Kaveriamman Kuttai," situated about 400 metres northeast, has been encroached upon and destroyed, affecting water access for surrounding villages. The setting up of a petrol filling station will be injurious to the health of the public.

3. Learned counsel appearing for respondent Nos.1 to 3 submitted that the second respondent, vide proceedings dated 6.1.2026, has already issued a No Objection Certificate to the



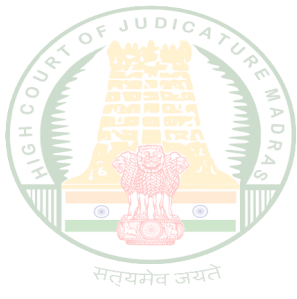
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seventh respondent and, therefore, the prayer made in the writ petition to restrain the authorities from issuing No Objection Certificate to the seventh respondent does not survive.

4. We have heard learned counsel on either side and perused the documents placed on record.

5. It is a matter of record that the petitioner herein had earlier filed a writ petition, being W.P.No.34993 of 2022, seeking the following relief:

"Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents 1 to 8 herein to scrupulously follow the siting criteria stipulated in the guidelines of Central Pollution Control Board issued in their OM No.13011/1/2019- 20/AQM dated 07.01.2020 and Addendum OM No.13011/1/2019- 20/AQM dated 16.08.2021 in granting NOC to the ninth respondent for setting up of a retail outlet petrol bunk in S.No.374/3C and 375/1A1 in Papparapatti Village, Pennagaram Taluk, Dharmapuri District in between Papparapatti to Pennagram on SH 224 by considering



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the petitioner's representation dated 05.12.2022 and 16.12.2022 and pass orders in accordance with law."

6. The aforesaid writ petition was disposed of by a Division Bench of this court vide order dated 12.7.2023 and the operative portion of the said order reads thus:

"3. The ninth respondent has already applied for No Objection Certificate. The authorities have to grant No Objection Certificate before the retail outlet is commenced. The authority shall consider all the provisions and the mandatory guidelines that are applicable for the start of retail outlet before issuing No Objection Certificate."

7. On the basis of the aforesaid directions and on consideration of the entire conspectus of the matter, the second respondent passed the impugned order dated 5.1.2026 and thereafter a No Objection Certificate was issued in favour of the seventh respondent. Therefore, the relief as sought in the present writ petition to restrain the authorities from issuing No Objection Certificate to the seventh respondent does not survive in view of the subsequent developments.



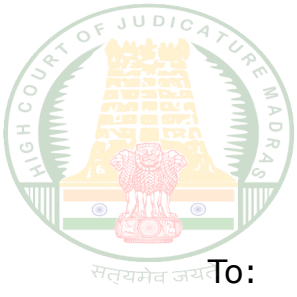
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WEB COPY 8. In the light of the above changed factual matrix, the writ petition is dismissed. However, it is made clear that the petitioner, if so advised, is at liberty to challenge the validity of the No Objection Certificate already issued in favour of the seventh respondent in accordance with law before the appropriate forum.

There shall be no order as to costs. Consequently, interim applications stand closed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
01.06.2026

Index : Yes/No
Neutral Citation : Yes/No
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