

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.20920/2014 & MP.No.1/2014

M.Balaji

..Petitioner

Versus

- 1.The District Revenue Officer
Vellore, Vellore District.
- 2.The Sub Collector
Ranipet, Vellore District.
- 3.The Tahsildar,
Walaja Taluk, Walaja,
Vellore District.
- 4.The Chief Area Manager
Indian Oil Corporation Ltd.,
Indane Area Office
No.500, Anna Salai, Teynampet
Chennai-18.

5.R.Govindaraji

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to dispose the statutory appeal filed on 19.07.2011 by the petitioner within a stipulated period to be fixed.

For Petitioner : Mr.C.Prakasam
For RR1 to 3 : Mr.S.Gunasekaran, GA
For R4 : Mr.Mohamed Fayaz Ali
For R5 : Dr.C.Ravichandran for
M/s.E.Angayarkanni

ORDER

Heard Mr.C.Prakasam, learned counsel appearing for the petitioner ; Mr. S.Gunasekaran, learned Government Advocate appearing for the respondents 1 to 3 ; Mr.Mohamed Fayaz Ali, learned counsel appearing for the 4th respondent and D.C.Ravichandran, learned counsel appearing for the 5th respondent and perused the materials available on record.

2.The petitioner seeks for issuance of a writ of mandamus to direct the 1st respondent to dispose of the petitioner's statutory appeal dated 19.07.2011.

3.According to the petitioner, he was granted the Distributorship for LPG by the Indian Oil Corporation. It appears that the residential clarification of the petitioner was put to challenge and the Tahsildar passed an order cancelling the Certificate issued to the petitioner which was one of the documents taken into consideration by the Indian Oil Corporation for grant of Distributorship. As against the said order passed by the Tahsildar, the petitioner has preferred a Statutory Appeal before the 1st respondent, viz., the District Revenue Officer on 19.07.2011. The appeal is pending. In the meantime, the Indian Oil Corporation is attempting to take steps to cancel the Distributorship. Therefore, the petitioner is before this Court.

4.In view of the fact that the statutory appeal is pending before the District Revenue Officer, the Indian Oil Corporation should not precipitate the matter and cancel the Distributorship awarded to the petitioner. The Indian Oil Corporation should await the orders to be passed by the 1st respondent in the appeal.

5.In the light of the above, there will be a direction to the 1st respondent to consider the petitioner's statutory appeal after conducting enquiry and after affording an opportunity of personal hearing to the petitioner as well as to the respondents 4 and 5 and pass appropriate orders on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order. Till orders are passed by the first respondent, the Distributorship granted in favour of the petitioner shall not be cancelled.

6.The writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1.The District Revenue Officer
Vellore, Vellore District.

2.The Sub Collector
Ranipet, Vellore District.

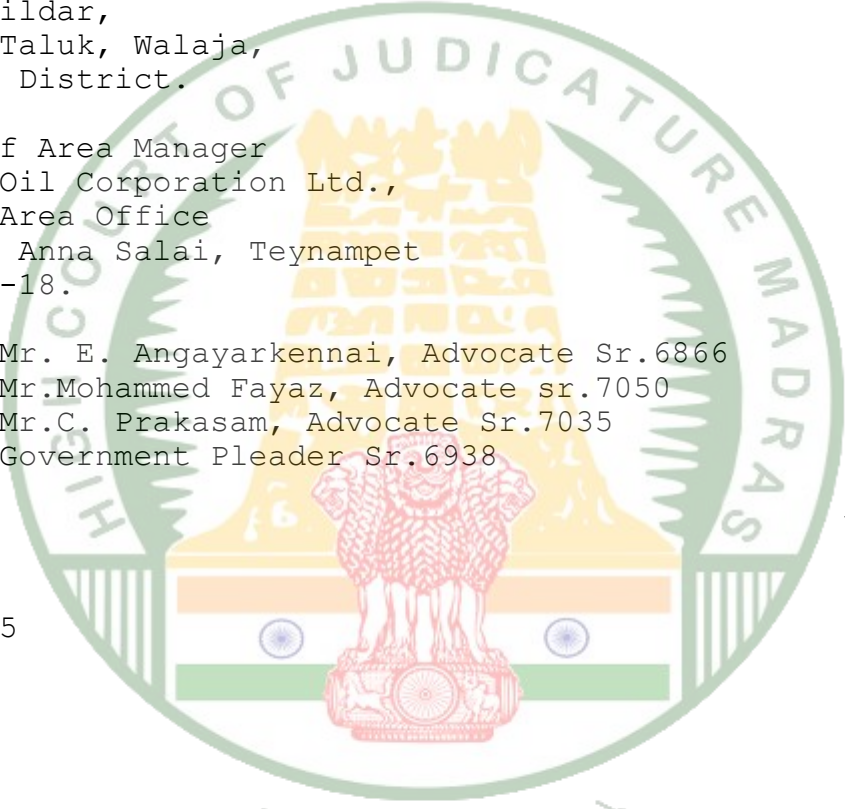
3.The Tahsildar,
Walaja Taluk, Walaja,
Vellore District.

4.The Chief Area Manager
Indian Oil Corporation Ltd.,
Indane Area Office
No.500, Anna Salai, Teynampet
Chennai-18.

+ 1 cc to Mr. E. Angayarkennai, Advocate Sr.6866
+ 1 cc to Mr.Mohammed Fayaz, Advocate sr.7050
+ 1 cc to Mr.C. Prakasam, Advocate Sr.7035
+ 1 cc to Government Pleader Sr.6938

AD(CO)
Eu 12.02.15

WP.No.20920/2014



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