

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S. SIVAGNANAM

W.P. No.4210 of 2012

K.Sureshkumar

... Petitioner

versus

1.The Chief Area Manager,
Indian Oil Corporation,
Chennai Area Office,
No.500, Anna Salai,
Teynampet, Chennai-600 018.

2.T.N.Suresh

... Respondents

Petition has been filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus calling for the entire records relating to the impugned order passed by the first respondent in his proceedings No.CHAO:619, dated 07.12.2011 and quash the same and consequently directing the first respondent to approve the proposal of the partnership on the basis of the agreement dated 04.11.2008 entered by the petitioner and the second respondent.

For petitioner : Mr.C.Prakasam

For respondents: Mr.R.Ravi, APP for R1

Mr.G.M.Syed Nurullah Sheriff for R2

ORDER

This petition has been filed by the petitioner to quash the impugned order passed by the first respondent in his proceedings No.CHAO:619, dated 07.12.2011 and to direct the first respondent to approve the proposal of the partnership on the basis of the agreement dated 04.11.2008 entered by the petitioner and the second respondent.

2.The petitioner has challenged the impugned order dated 07.12.2011 by which the petitioner's request to induct as a distributor and to approve the proposal of the partnership on the basis of the agreement dated 04.11.2008 entered into by the petitioner and the second respondent, was rejected by the first

respondent on the ground that the same can be inducted based on application by existing distributor.

3.It is brought to the notice of this Court by the learned counsel for the first respondent that the agreement executed in favour of the second respondent has been cancelled by order dated 19.12.2013 and arbitration proceedings are pending.

4.In the light of the above, no further order is required and it is open to the petitioner to work out his remedy as against the second respondent in the manner known to law.

5.In the result, this Writ Petition is dismissed. No costs. Consequently, connected M.P. is also dismissed.

Sd/-
Assistant Registrar
Dated:25.2.15

True Copy

Sub Assistant Registrar

To

The Chief Area Manager,
Indian Oil Corporation,
Chennai Area Office,
No.500, Anna Salai,
Teynampet, Chennai-600 018.

+1 cc to M/s.G.M.Syed Nurullah, Advocate,SR.8867

+1 cc to M/s.R.Ravi, Advocate, SR.9341

+1 cc to M/s.C.Prakasam, Advocate,SR.9387

+1 cc to M/s.M.Suresh Advocate,SR.9481.

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