

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.Nos.18888 to 18893 of 2014

&

W.P.Nos.19760 to 19763 of 2014 & W.P.No.20028 of 2014

&

M.P.Nos.1 of 2014 (11 Mps)

S.Syed Shal Samruddin ... Petitioner in WP.18888/2014

S.Kavitha ... Petitioner in WP.18889/2014

N.Syed Anwarullah Hussany ... Petitioner in WP.18890/2014

S.Jayasujatha ... Petitioner in WP.18891/2014

B.Padmanabahan ... Petitioner in WP.18892/2014

S.Srinivasan ... Petitioner in WP.18893/2014

K.S.Anbarasu ... Petitioner in WP.19760/2014

K.Thangavelu ... Petitioner in WP.19761/2014

M/s.Sri Ramakrishna Yarn
Carrier M & H Contractor
rep. by its Director
N.M.Ethirajan. Petitioner in WP.19762/2014

P.Kalidass ... Petitioner in WP.19763/2014

Shanthi Rajasekar ... Petitioner in WP.20028/2014

Vs.

The Chief Divisional Retail
Sales Manager,
Indian Oil Corporation Ltd.
Salem - 636 010.

Sole Respondent in W.P.No.18888
to W.P.No.18893/14.

...

WEB COPY

The Chief Divisional Retail
Sales Manager,
Indian Oil Corporation Ltd,
Coimbatore - 641 018.

Sole Respondent in WP.19760 to
... WP.19763 of 2014.

The Chief Divisional Retail
Sales Manager,
Indian Oil Corporation,
Chennai - 18.

... Sole Respondent in WP.20028/2014.

WP.No.18888 to 18893 of 2014:

These Writ Petitions have been filed under Article 226 of Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the notice of termination of M&H Contract agreement with regard to COCO at

- (i) Kundarapalli (WP.18888/2014)
- (ii) Ponchampalli (WP.18889/2014)
- (iii) Addaguriky (WP.18890/2014)
- (iv) Kattukottai (WP.18891/2014)
- (v) Singarapettai (WP.18892/2014)
- (vi) Vaippamalai (WP.18893/2014)

of the respective petitioners made in Ref.SLMDO/M&H on the file of the respondent dated 9.7.2014 and quash the same.

W.P.No.19760 to 19763 of 2014:

These writ petitions have been filed under Article 226 of the Constitution of India praying to issue writ of Certiorari calling for the records relating to the notice in

- (i) CBDO/RO/4005 dt. 05.07.2014 (WP.19760/2014)
- (ii) CBDO/RO/4007 dt. 05.07.2014 (WP.19761/2014)
- (iii) CBDO/RO/1028 dt. 05.07.2014 (WP.19762/2014)
- (iv) CBDO/RO/4004 dt. 05.07.2014 (WP.19763/2014)

W.P.No.20028 of 2014:

This Writ Petition was filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the notice COCO Tiruvallur dated 2.7.2014 on the file of the Respondent and quash the same.

For Petitioners : Mr.V.Elangovan in all Writ Petitions
For Respondents : Mr.R.Ravi in all Writ Petitions.

COMMON ORDER

In all these writ petitions, a challenge is made to the notice issued by the respondent dated 09.07.2014.

2. It is submitted by the learned counsel on either side that the issue involved in these writ petitions is covered by the decision of the Hon'ble Division Bench of this Court in W.A.Nos.309 and 377 of 2010 dated 25.08.2014 wherein, the appeals and writ petitions were disposed of on the following agreed terms:

"(i) The petitions filed by the land owners stand dismissed.

(ii) If the Indian Oil Corporation is satisfied with the performance of the Present M & H Contractors, no precipitative action would be necessary. If they are not satisfied, then they will put the relevant parties to notice of their intent to change on account of lack of performance, so that the parties have a right to explain their stand.

(iii) Needless to say, if a new policy would come into operation, its applicability would depend on how that policy is structured. No costs. Consequently, the connected miscellaneous petitions are closed.

3. In the light of the order passed by the Hon'ble Division Bench, these writ petitions are also disposed of with the above agreed terms:

(i) The petitions filed by the land owners stand dismissed.

(ii) If the Indian Oil Corporation is satisfied with the performance of the present M&H Contractors, no precipitative action would be necessary. If they are not satisfied, then they will put the relevant parties to notice of their intent to change on account of lack of performance, so that the parties have a right to explain their stand.

(iii) Needless to say, if a new policy would come into operation, its applicability would depend on a how that policy is structured.

No costs. Consequently, the connected miscellaneous petitions are closed.

gpa

-s/d-
Assistant Registrar(CS-III)
Dt:13/2/2015

True Copy

Sub-Assistant Registrar

To

1. The Chief Divisional Retail Sales Manager, Indian Oil Corporation Ltd.,
Salem Divisional Office
No.234, 1st Floor, NH-7
Salem Bangalore Bypass Road
Kondalampatti
Salem - 636 010
2. The Chief Divisional Retail Sales Manager,
Indian Oil Corporation Ltd.
Coimbatore Divisional Office,
Indian Oil Bhavan,
No.8/1079, Anna Salai,
Coimbatore 641 018.
3. The Chief Divisional Retail Sales Manager,
Indian Oil Corporation Ltd,
Chennai Divisional Officer,
500, Anna Salai, Teynampet, Chennai 18.

+ 11 ccs to Mr.S.Doraisamy, Advocate SRs 7593, 7591 & 7592

ku(co)
prk13/2

W.P.Nos.18888 to 18893 of 2014 &
W.P.Nos.19760 to 19763 of 2014 &
W.P.No.20028 of 2014 &
M.P. No.1 of 2014(11 Mps)

WEB COPY