

IN THE HIGHER COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.No.33478 of 2016

and

W.M.P.No.28895 of 2016

M/s.Dhakshina Bharat Gas Agency,
rep.by its Proprietor
Mrs.T.Sathiyya ... Petitioner

Vs

1.Union of India,
rep.by its Secretary,
Ministry of Petroleum and
Natural Gas,
Sastri Bhavan, New Delhi-110 001

2.Bharat Petroleum Corporation Limited,
Regional Office No.1, Ranganathan Gardens,
11th Main Road,
Anna Nagar, Chennai-600 403

3.Bharat Petroleum Corporation Limited,
LPG Territory/Plant, MGM TB Sanitorium P.O.
Sengipatti, Thanjavur-613 402

4.M/s.Radha Gas Agency,
8, Chetti Street, Panruti,
Cuddalore District,
Tamil Nadu 607 106

सत्यमेव जयते

... Respondents

Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of mandamus directing the third respondent to consider and dispose of the petitioners representation dated 17.8.2016, in accordance with law.

For petitioner : Mr.V.Balakrishnan
For Respondents : Mr.A.Kumaraguru for R1
Mr.M.Narayanaswamy for R4
Mr.Vijayan for
M/s.King & Patridge for R2 and R3

ORDER

The petitioner, after complying with all the formalities, has commenced the Gas Agency business, in the name and style of M/s.Dhakshina Bharat Gas Agency. Complaining certain allegations against the third respondent in allocating the gas connections, the petitioner gave a representation, dated 17.8.2016, seeking transfer of gas connections. Since no response is forthcoming on the said representation, the petitioner is before this Court seeking a direction to the third respondent to dispose of their representation.

2. I have heard the learned counsel for the petitioner as well as the respondents.

3. The petitioner only seeks for a direction to the third respondent to consider their representation. Whereas, the stand of the fourth respondent is that such a representation itself is not maintainable, as the petitioner cannot even seek for transfer of gas connections.

4. The third respondent has filed a counter and reiterated the stand taken by the fourth respondent. However, the learned counsel for the third respondent would submit that the third respondent will consider the representation of the petitioner in accordance with Rules, after giving opportunity to both the fourth respondent as well as the petitioner.

5. In such view of the matter, the third respondent is directed to consider the representation of the petitioner dated 17.08.2016, and pass orders in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as the fourth respondent, within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Secretary,
Ministry of Petroleum and
Natural Gas,
Sastri Bhavan, New Delhi-110 001

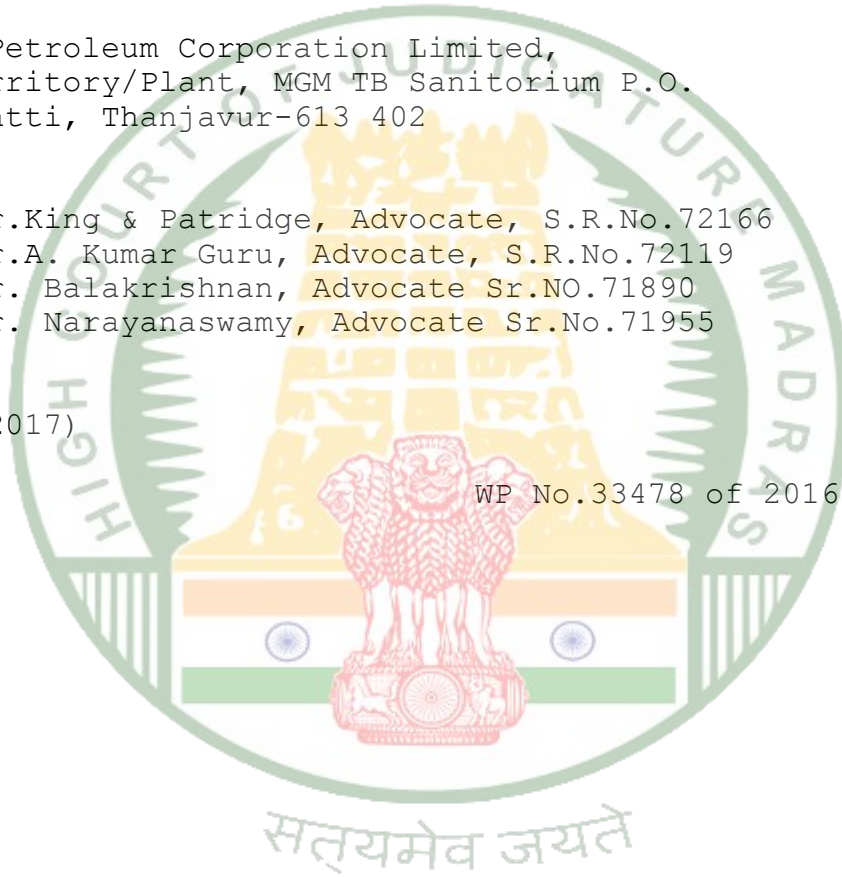
2.Bharat Petroleum Corporation Limited,
Regional Office No.1, Ranganathan Gardens,
11th Main Road,
Anna Nagar, Chennai-600 403

3.Bharat Petroleum Corporation Limited,
LPG Territory/Plant, MGM TB Sanitorium P.O.
Sengipatti, Thanjavur-613 402

+1cc to Mr.King & Patridge, Advocate, S.R.No.72166
+1cc to Mr.A. Kumar Guru, Advocate, S.R.No.72119
+1cc to Mr. Balakrishnan, Advocate Sr.NO.71890
+1cc to Mr. Narayanaswamy, Advocate Sr.No.71955

bvs (CO)
md(05/01/2017)

WP No.33478 of 2016



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