

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40575 OF 2016

ORDER:

1. This writ petition is filed by the petitioner, challenging the action of the respondent in issuing notices, and seeking a direction to the respondent not to take any coercive action against the petitioner.

2. The petitioner is one of the distributing agencies of Indane Gas of the respondent. The respondent issued notice dated 17.8.2016 to the petitioner calling for an explanation on the allegations made by the customers. A detailed explanation was submitted by the petitioner on 21.10.2016. After receipt of the said explanation, the respondent again issued notice dated 28.10.2016 to the petitioner. The petitioner sought time to submit explanation. While so, the petitioner came to know that the respondent is contemplating to initiate further proceedings against the petitioner. Therefore, the petitioner is apprehending coercive steps.

3. Heard and perused the material available on record.

4. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, this Court is inclined to pass the following order:

“The respondent is directed to consider the explanation submitted by the petitioner to the show cause notice dated 17.8.2016 and pass appropriate orders in accordance with law. The petitioner is permitted to give annexure to his earlier explanation on the basis of the second show cause notice dated 28.10.2016, within a period of 30 days from the date of

receipt of a copy of this order. The respondent is also directed to permit the petitioner to give his annexure. After receipt of such annexure to the earlier explanation, the respondent-authorities concerned are directed to dispose of the same in accordance with law. Till such time, the respondent-authorities concerned are directed not to take any coercive steps against the petitioner.”

5. Accordingly, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 23rd November, 2016
Nn.



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