

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 19.01.2017

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.No.1149 of 2017
and WMP.No.1114 of 2017

Sathika Begam

.. Petitioner

Vs.

1.The General Manager (Retail Sales),
Indian Oil Corporation Ltd.,
Tamil Nadu State Office/
No.139, Nungambakkam High Road,
Chennai-600 034.

2.The Senior Divisional Retail Sales Manager,
Indian Oil Corporation Ltd.,
(Marketing Division),
Trichy Divisional Office,
Triveni, III Floor,
B-35, Shastri Road,
Thillai Nagar,
Trichy-620 018.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of Certiorarified Mandamus calling for the entire records in connection with the impugned order of the second respondent in Ref. No.TCHDO/AFY201213 dated 23.12.2016 and quash the same and consequently, direct the respondents to continue supplies of all products.

For Petitioner : Mr.Venkatachalapathy, Sr. Counsel
for M/s.P.Kannan

For Respondents : Mr.R.Ravi

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O R D E R

This writ petition has been filed by the petitioner challenging the impugned order of the second respondent in Ref. No.TCHDO/AFY201213 dated 23.12.2016 and to quash the same. Further to direct the respondents to continue supplies of all products.

2.Heard the learned senior counsel for the petitioner as well as the learned counsel for the respondents.

3.After some elaborate arguments by both the parties, the learned counsel for the respondents fairly submitted that the respondents are taking necessary action in accordance with law and they will give sufficient opportunity to the petitioner. He further submitted that in fact, in the earlier order of this Court dated 29.10.2015 itself, the question of competency of the third respondent (in that case) in the partnership was directed to be considered by the respondents after giving notice to the parties. Therefore, it is only contented by the respondents that they will issue notice to the parties and after giving sufficient opportunity only, final order will be passed in accordance with law. The learned senior counsel for the petitioner submitted that though notice was dated 23.12.2016 for submitting the required valid documents by 09.01.2017 but the very same notice was served only on 09.01.2017 and therefore, there is an apprehension for the petitioner, regarding the stoppage of supply of the products by the respondent.

4.In view of the same, it is suffice for this Court to state that the respondents will issue notice to the objector and get necessary reply and thereafter, give notice to the petitioner in the manner known to law and pass appropriate orders. Till such time of passing of the final order, the respondents shall not disturb the supply of goods to the petitioner.

5.With the above observations and directions, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

DP

To

1.The General Manager (Retail Sales),
Indian Oil Corporation Ltd.,
Tamil Nadu State Office/
No.139, Nungambakkam High Road,
Chennai-600 034.

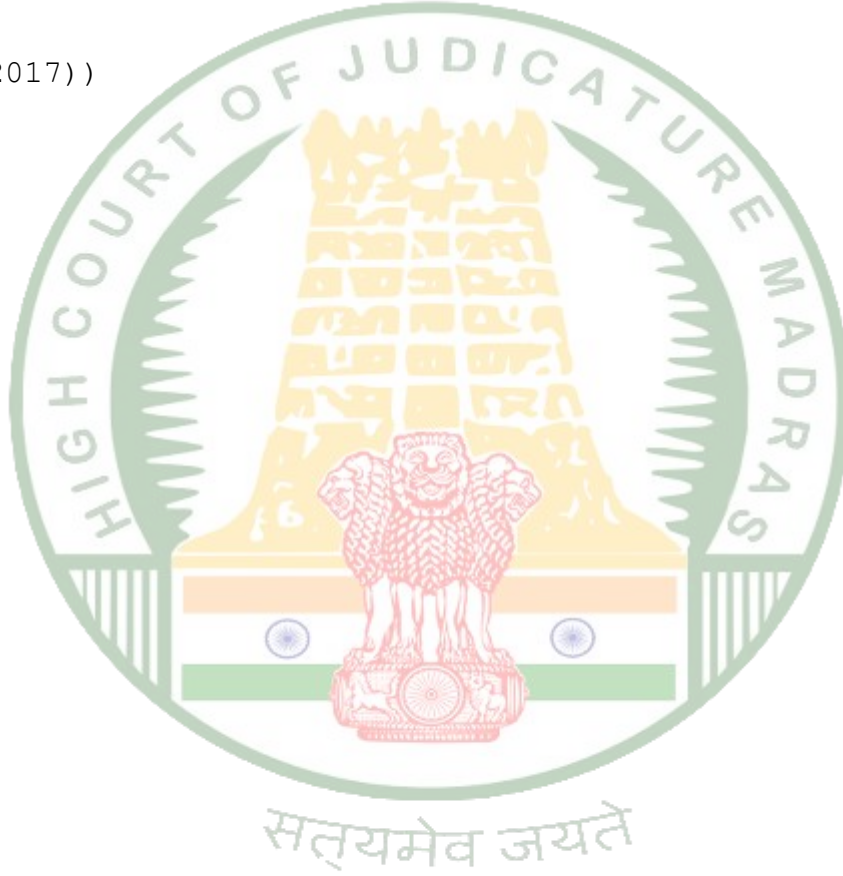
2.The Senior Divisional Retail Sales Manager,
Indian Oil Corporation Ltd.,
(Marketing Division),
Trichy Divisional Office,

Triveni, III Floor,
B-35, Shastri Road,
Thillai Nagar,
Trichy-620 018.

+1cc to Mr.P.Kannan, Advocate, S.R.No.3684

W.P.No.1149 of 2017
and
WMP.No.1114 of 2017

RSY (CO)
GN (24/01/2017))



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