

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.21083 of 2017

Yuvaraja Gas Services
Rep. By its Partner, Mr.S.P.Rajendran. ... Petitioner

-vs-

1. M/s.Bharat Petroleum Corporation Ltd.,
Rep. By its Chairman & Managing
Director, Bharat Bhavan, No.4 & 6,
Currimbhoy Road, Ballard Estate,
Mumbai 400 001.
2. The Regional Manager (LPG) South,
M/s.Bharat Petroleum Corporation Ltd.,
No.1, Ranganathan Gardens,
11th Main Road, Anna Nagar,
Chennai 600 040.
3. The Territory Manager (LPG)
Coimbatore LPG Plant,
P.B.No.1644, Peelamedu,
Coimbatore 641 004. ... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the 3rd respondent proceedings in CBE:LPG:3.6:CON dated 28.11.2014 is illegal and quash the same and consequentially directing the respondents to allow the petitioner to reopen the agency by considering the recommendations of the 3rd respondent and by considering the representations of the petitioner dated 22.04.2015 and 28.04.2015 within the time stipulated by this Court.

For Petitioner : Mr.K.Rajendra Prasad

O R D E R

The petitioner has filed the above writ petition to issue a writ of certiorari mandamus calling for the records of the third respondent in his proceedings dated 28.11.2014 and to quash the same and consequently, directing the respondents to allow the petitioner to reopen the agency by considering the recommendations of the third respondent and by considering the representations of the petitioner dated 22.04.2015 and 28.04.2015 within a time frame.

2.By the impugned order dated 28.11.2014, the third respondent had cancelled the gas agency dealership on the ground of serious allegations. The present writ petition has been filed by the petitioner after a lapse of nearly three years from the date of cancellation of the dealership.

3.Learned counsel appearing for the petitioner submitted that even after the passing of the impugned order dated 28.11.2014, the petitioner has given representations dated 22.04.2015 and 28.04.2015 to allow him to continue the dealership. However, the same were not considered by the third respondent so far.

4.Since the petitioner is challenging the impugned order dated 28.11.2014 after a lapse of nearly three years, I do not find any reason to entertain the present writ petition, particularly on the ground of laches. The petitioner has not explained the reasons for not challenging the impugned order at the earliest point of time.

5.In these circumstances, the writ petition is devoid of merits and the same is dismissed. However, it is open to the third respondent to consider the petitioner's representations in accordance with law. No costs.

Sd/-

Assistant Registrar(CS V)

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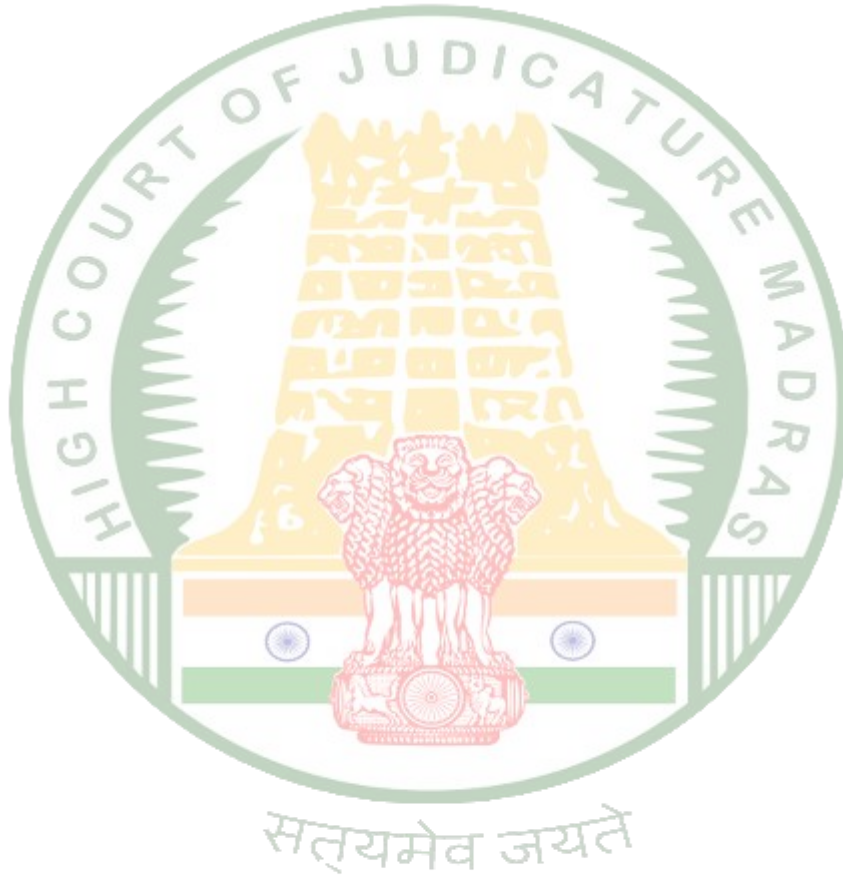
Sub Assistant Registrar

sra

+1cc to M/s.K.Rajendra Prasad, Advocate, S.R.No.56916

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