

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-06-2017

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.35222 of 2003

And

WPMP No.42809 of 2003

A.Eswara Doss,
Proprietor,
M/s.Sri Rathna Gas Agency,
Distributor for Bharath Gas,
36, Municipal Building,
Main Road, Chinnamanur,
Theni District.

Petitioner

vs.

1. The Regional Manager (South),
Bharath Petroleum Corporation Ltd.,
(A Govt. of India Enterprise),
Anna Nagar,
Chennai-40.
2. The Territory Manager (LPG),
Bharath Petroleum Corporation Ltd.,
(A Govt. of India Enterprise),
Madurai Bye Pass Road,
Tuticorin-628 008.

Respondents

This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, forbearing the respondents from commissioning of new LPG Distributorship at Uthamapalayam or at any other place within the peripheral area of 15 km of operation of the petitioner.

For Petitioner : Mr.M.Ajmal Khan

For Respondents : Mr.O.R.Santhanakrishnan

O R D E R

The relief sought for in this writ petition is for a direction forbearing the respondents from commissioning of new LPG Distributorship at Uthamapalayam.

2. The writ petition was filed in the year 2003 and now after a lapse of 14 years, in the growing demand for LPG Cylinders filed by the people of that locality and the granting of more number of LPG Distributorship will be beneficial to the public at large, more specifically, in the welfare of the people of that locality, this Court is not inclined to consider the prayer, as such, sought for in this writ petition. If any conditions of the Corporation is violated by the respondents, it is left open to the writ petitioner to initiate appropriate auction under the relevant Rules and the conditions of the contract.

3. With this observation, the writ petition stands dismissed, however, there shall be no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Regional Manager (South),
Bharath Petroleum Corporation Ltd.,
(A Govt. of India Enterprise),
Anna Nagar,
Chennai-40.
2. The Territory Manager (LPG),
Bharath Petroleum Corporation Ltd.,
(A Govt. of India Enterprise),
Madurai Bye Pass Road,
Tuticorin-628 008.

+1cc to Mr.M.Ajmal Associates, Advocate, S.R.No.45681

+1cc to Mr.O.R.Santhanakrishnan, Advocate, S.R.No.46312

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RR(CO)
CS/11/07/17