



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **07.07.2017**

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.12607 of 2017

and

W.M.P. (MD) .No.9723 of 2017

P.Radhakrishnan

.. Petitioner

Vs.

1.Union of India Represented by its
Secretary to Government of India,
Ministry of Petroleum & Natural Gas,
Government of India, Shastri Bhavan,
Dr.Rajendra Prasad Road,
New Delhi - 110 011.

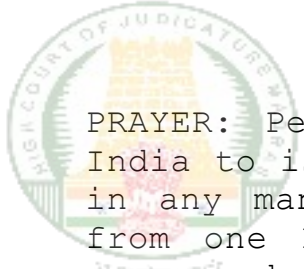
2.Union of India Represented by its
Secretary to Government of India,
Ministry of Consumer Affairs, Food &
Public Distribution, Department of Consumer Affairs,
Gallery No.12/2, Jam Nagar House,
Shahjahan Road, New Delhi 110 011.

3.State Level Coordinator,
IOCL, BPCL & HPCL Tamil Nadu &
Puducherry(UT), Indian Oil Bhavan,
Nungambakkam, Chennai -600 034.

4.M/s.Indian Oil Corporation Ltd,
Rep.by its Chairman,
3079 /3, Sadiq Nagar,
JB Tito Marg, New Delhi - 110 049.

5.M/s.Bharat Petroleum Corporation Ltd,
Rep.by its Chairman & Managing Director,
Bharat Bhavan,
No.26, Currimbhoy Road,
Ballard Estate,
Mumbai - 400 001.

6.M/s.Hindustan Petroleum Corporation Ltd,
Rep.by its Chairman & Managing Director,
No.17, Jamshed Tata Road,



PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents from, in any manner, transferring the LPG Domestic Cylinder Consumers from one Dealer to another without getting the consent of the concerned consumer in writing by issue appropriate intimations prior to such transfer.

For petitioner

: Mr.K.Rajendraprasad for
Mr.P.Srinivas

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner filed this Writ Petition forbearing the respondents from transferring LPG Domestic Cylinder Consumers from one Dealer to another without obtaining consent from the concerned consumer in writing.

2. The petitioner submitted a representation on 04.07.2017, requesting the respondents not to transfer the consumers from one distributorship to another distributorship. Even before receiving the representation by the respondents, the petitioner filed this Writ Petition, on 05.07.2017, that too, after making a mention before this Court on 06.07.2017, that urgent orders are necessary.

3. The Petroleum Companies are empowered to transfer the consumers from one distributorship to another distributorship, in case, within the jurisdiction, there are consumers more than the ceiling. Such being the position, there is no merit in the contention taken by the petitioner.

4. We deprecate the practise of filing Writ Petition, immediately after making representation.

5. We dismiss the Writ Petition with cost quantified at Rs.5,000/-. The cost amount shall be paid by the petitioner to the Superintendent, Annai Sathya Ammaiyar Memorial Government Orphanage, Madurai, within fifteen days from the date of receipt of a copy of this order. The said Home shall stitch uniforms and supply the same to the students in need of help. A report should be submitted to the Additional Registrar (General) of this Court, after compliance. In case the cost amount is not paid by the petitioner, we direct the District Collector, Tiruchirappalli to collect the amount from the petitioner as if it is arrears of land revenue under the Revenue Recovery Act and pay the same to the said Home. Consequently, connected Miscellaneous Petition is closed.

Sd /-

ASSISTANT REGISTRAR



To:

1.The Secretary to Government of India,
Ministry of Petroleum & Natural Gas,
Government of India, Shastri Bhavan,
Dr.Rajendra Prasad Road,
New Delhi - 110 011.

2.The Secretary to Government of India,
Ministry of Consumer Affairs, Food &
Public Distribution.

3.State Level Coordinator,
IOCL, BPCL & HPCL Tamil Nadu &
Puducherry(UT),
Indian Oil Bhavan,
Nungambakkam, Chennai -600 034.

4.District Collector, Trichy.

5.The Superintendent,
Annai Sathya Ammaiyar Memorial Government Orphanage, Madurai

+2 CC TO MR.P.SRINIVAS, ADVOCATE,SR NO.63924

NB/dsk

MAS/MR-KKR/SAR1:17.07.2017:3P-8C

ORDER MADE IN
W.P. (MD) No.12607 of 2017
and
W.M.P. (MD) .No.9723 of 2017
07.07.2017