

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.25517 of 2008

and

M.P.No.1 of 2008

A.Karupannan

... Petitioner

Vs

1.The Secretary
Ministry of Petroleum
Oil and Natural Gas,
Government of India,
New India.

2.The Chairman,
Hindustan Petroleum Corporation Limited,
Petroleum House,
No.17, J.Tata Road,
Mumbai - 400 020.

3.The General Manager - South Zone,
Hindustan Petroleum Corporation Limited
4th Limited,
Thalamuthu Natarajan Building,
No.8, Gandhi Irwain Road,
Egmore, Chennai - 600 008.

4.The Chief Regional Manager,
Hindustan Petroleum Corporation Limited,
Coimbatore Regional office,
HP House,
18/3, Big Bazaar Street,
Coimbatore - 641 001.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to allot the Retail Outlet Dealership situated in S.No.2160 of Andan Koil Village, Karur-Dindigul Bye Pass Road, Karur to the petitioner or his nominee on "Land Owners Category " as in the case of Indian Oil Corporation and Bharat Petroleum.

For Petitioner : Mr.S.Doraisamy

For R1 : Mr.A.C.Kumaragurubaran

For R2 to R4 : Mr.M.Vijayan for M/s.King & Patridge

ORDER

The prayer made in this writ petition is to direct the respondents to allot a Retail Outlet Dealership situated in S.No.2160 of Andan Koil Village, Karur-Dindigul Bye Pass Road, Karur to the petitioner or his nominee on "Land Owners Category" as in the case of Indian Oil Corporation and Bharat Petroleum.

2.When the matter was taken up for consideration, the learned counsel for the petitioner, on instructions, submitted that on behalf of the petitioner, his nominee, viz., his sister's son, by name, A.Sivadevan may be permitted to continue to run the said retail outlet as M&H Contractor or adhoc dealer and as and when a new dealer is appointed for the said retail outlet, the petitioner will vacate the retail outlet and hand over the same to the respondents 2 to 4, within a period of four weeks. An affidavit of undertaking dated 26.11.2018 signed by the petitioner has also been filed to that effect.

3.The said submission made by the learned counsel for the petitioner has been agreed by the learned counsel appearing for the respondents 2 to 4.

4.Recording the aforesaid affidavit of undertaking dated 26.11.2018 filed by the petitioner, this writ petition stands disposed of, permitting the petitioner to continue to run the retail outlet by his nominee and directing him to hand over the vacant possession within a period of two weeks from the date on which the new dealer is appointed by the respondents 2 to 4. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

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To

1.The Secretary
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New India.

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Coimbatore - 641 001.

+1cc to M/s.King and Partridge, Advocate SR.No.83982

+1cc to M/s.S.Doraisamy, Advocate SR.No.83957

W.P.No.25517 of 2008

RGN(CO)
GMY(23/01/2019)

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