



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.A.(MD)Nos.1435 to 1440 of 2017

and

C.M.P.(MD)Nos.10974 to 10979 of 2017

M/S. SRI MOOGAMBIGAI GAS AGENCY, NO.32-A, KAMARAJAR SALAI,
CAUVERY NAGAR, KULITHALI, 639 104, KARUR DISTRICT, REP. BY ITS
PROPRIETOR MR.VENKATESH

... Petitioner in WA(MD). 1435/ 2017

M/S.SRI SUBAM GAS AGENCIES 101/4 NORTH CAR ST., CHIDAMBARAM 608
001 REP. BY ITS PARTNER S.PUKAZHENDHI

... Petitioner in WA(MD). 1436/ 2017

M/S.SRI MURUGAN ENTERPRISES, NO.59/26, MOTHILAL STREET,
KUMBAKONAM-612 001, REP BY ITS PARTNER SM.KARTHIKEYAN.

... Petitioner in WA(MD). 1437/ 2017

M/S. SIVAKASI GAS SERVICE 12/B/4, RAJAMBAL NAGAR, ANNA NAGAR, 1ST
STREET, KALLAKURICHI 606 202. REP.BY ITS PARTNER V.KUMUTHA.

... Petitioner in WA(MD). 1438/ 2017

M/S. SRI BHAVANI AGENCIES INDANE DISTRIBUTOR, NO.11-D, PERUMANDI
MAIN ROAD, KUMBAKONAM 612 002, REP. BY ITS PROPRIETOR S.SETHURAMAN.

... Petitioner in WA(MD). 1439/ 2017

M/S.KALYANI GAS AGENCIES NO.122R ANGARAI MAIN ROAD, LALGUDI,
TRICHY-703 REP. BY ITS PARTNER R.MANIKANDAN

... Petitioner in WA(MD). 1440/ 2017

- Vs. -

1.The Ministry of Petroleum and Natural Gas,
A Wing, Shastri Rajendra Prasad Road,
Azad Bhawan Road, IP Estate,
New Delhi 110 002.



2.The Indian Oil Corporation,
represented by its Managing Director,
G-9, All Yavar Jung Marg,
Bandra East, Mumbai 400051.

3.The Chief Area Manager,
Indian Oil Corporation,
Indane Area Office,
B35, II Floor, Triveni Complex,
Shastri Road, Thillai Nagar,
Trichy-16. ... Respondents 1 to 3/
Respondent in all WA's

Prayer in WA(MD)No.1435/2017: Writ Appeal filed under Clause 15 of Letters Patent against the order dated 24.10.2017 in W.P.(MD) No.14808 of 2017 passed by this Court.

Prayer in WA(MD). 1436/ 2017 :

Writ Appeal filed under Clause 15 of Letter Patent against the Order dated 24/10/2017 in WP(MD).No.14810 of 2017 and allow the Writ Appeal as prayed for and thus render justice.

Prayer in WA(MD). 1437/ 2017 :

Writ Appeal filed under Clause 15 of Letter Patent against the Order dated 24/10/2017 in WP(MD).No.14811 of 2017 and allow the Writ Appeal as prayed for and thus render justice.

Prayer in WA(MD). 1438/ 2017 :

Writ Appeal filed under Clause 15 of Letter Patent against the Order dated 24/10/2017 in WP(MD).No.14812 of 2017 and allow the Writ Appeal as prayed for and thus render justice.

Prayer in WA(MD). 1439/ 2017 :

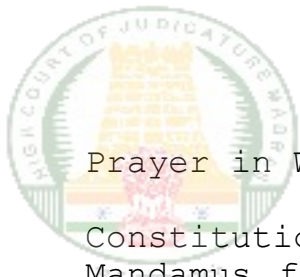
Writ Appeal filed under Clause 15 of Letter Patent against the Order dated 24/10/2017 in WP(MD).No.14813 of 2017 and allow the Writ Appeal as prayed for and thus render justice.

Prayer in WA(MD). 1440/ 2017 :

Writ Appeal filed under Clause 15 of Letter Patent against the Order dated 24/10/2017 in WP(MD).No.14814 of 2017 and allow the Writ Appeal as prayed for and thus render justice.

Prayer in WP(MD). 14808/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus forbearing the Respondents, their men, servants or agents or anyone claiming under them from in any manner compelling the petitioner to transfer the petitioners LPG consumers to any new / other Distributor.



Prayer in WP(MD). 14810/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus forbearing the Respondents, their men, servants or agents or anyone claiming under them from in any manner compelling the petitioner to transfer the petitioners LPG consumers to any new / other Distributor.

Prayer in WP(MD). 14811/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of mandamus direction in the nature of writ of mandamus forbearing the Respondents, their men, servants or agents or anyone claiming under them from in any manner compelling the petitioner to transfer the petitioners LPG consumers to any new /other distributor and pass such further or other orders as this honble court.

Prayer in WP(MD). 14812/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus forbearing the Respondents, their men, servants or agents or anyone claiming under them from in any manner compelling the petitioner to transfer the petitioners LPG consumers to any new / other Distributor.

Prayer in WP(MD). 14813/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of mandamus direction in the nature of writ of mandamus forbearing the Respondents, their men, servants or agents or anyone claiming under them from in any manner compelling the petitioner to transfer the petitioners LPG consumers to any new /other distributor and pass such further or other orders as this honble court.

Prayer in WP(MD). 14814/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus forbearing the Respondents, their men, servants or agents or anyone claiming under them from in any manner compelling the petitioner to transfer the petitioners LPG consumers to any new / other Distributor.

For Appellant : Mr.AR.L.Sundaresan
Senior Counsel
for Ms.AL.Ganthimathi in all WA's

For Respondents : Mr.C.Nandagopal
Central Government Standing Counsel
for R.1



WEB COPY

: Mrs.Hema Sampath
Senior Counsel
for Mr.K.Muraleedharan
for R.2 and R.3 in all WA's

COMMON JUDGMENT

(Judgment of the Court was made by M.SATHYANARAYANAN,J.)

A letter, dated 07.02.2018 has been circulated to the Registry by the learned Counsel for the appellants requesting to list the matter for withdrawal. The learned Counsel appearing for the appellants also prays leave of this Court to make a challenge to the new policy.

2. Heard the submissions of Mr.AR.L.Sundaresan, learned Senior Counsel assisted by Mr.C.Mahadevan appearing for the appellant and Mrs.Hema Sampath, learned Senior Counsel assisted by Mr.K.Muraleedharan, appearing for the respondents 2 and 3.

3. In the result, the Writ Appeals are dismissed as withdrawn. No costs. Consequently, the connected Miscellaneous Petitions are also dismissed. Liberty sought for by the appellants to challenge the new policy is granted before the competent forum in accordance with law.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub-Assistant Registrar

To

The Ministry of Petroleum and Natural Gas,

A Wing, Shastri Rajendra Prasad Road,

Azad Bhavan Road, IP Estate, New Delhi 110 002.

+8 ccs to M/s.C.Nandagopal, Advocate, SR.Nos.47524, 47525, 47523,

47522, 47529, 47546,, 47530, 47527,

+One cc to M/s.AL.Ganthimathi, Advocate, SR.No.47058

ssl/rmi

RL/11C/5P/KK/SAR1/26/2/2018

W.A.(MD)Nos.1435 to 1440 of 2017

and

C.M.P.(MD)Nos.10974 to 10979 of 2017

08.02.2018