

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2019

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P. Nos.43020 of 2002 & 14101 of 2010

and

W.M.P.No 68279 of 2003 in W.P.43020 of 2002

and

M.P.Nos.1 & 2 of 2010 in W.P.14101 of 2010

M/s. Joseph Trading Corporation,
rep. by its Proprietor Mr.P.Sathyanathan,
33/57, Aruna Nagar,
Puttur, Tiruchirapalli District. ... Petitioner in both W.Ps

Vs.

1. The District Collector,
Perambalur District,
Perambalur.
2. The General Manager and State
Level Co-ordinator,
Indian Oil Corporation Ltd.,
Indian Oil Bhavan,
Nungambakkam High Road,
Chennai 600 034.
3. The Senior Divisional Manager,
Indian Oil Corporation Ltd.,
Marketing Division,
Madurai Divisional Office,
No.2, Race Course Road,
Chokkikulam, Madurai 625 002.
4. The Senior Depot Manager,
Indian Oil Corporation Ltd.,
Supplies Depot, Goods Shed Road,
Tiruchirapalli.
5. The Tamil Nadu Civil Supplies
Corporation Ltd.,
rep. by its Chairman and Managing Director,
Chennai.

6. The Regional Manager,
Tamil Nadu Civil Supplies Corporation Ltd.,
Perambalur Region,
Perambalur.

7. M/s. Golden Enterprise,
rep. by its Sole Proprietor T. Ganesh,
54-D/15, Dwaraka Apartments,
New No.20, Madhuram Colony, Puthur,
Tiruchirappalli 620 017.

(R7 impleaded as per order dated 30.09.2019
in W.M.P.No.2248 of 2017)

.... Respondents in W.P.43020/2002

1. The District Collector,
Perambalur District,
Perambalur
2. The District Revenue Officer,
Perambalur District ,
Perambalur.
3. The District Supply Officer,
Perambalur District,
Perambalur.
4. The General Manager and State
Level Co-ordinator,
Indian Oil Corporation Ltd.,
Indian Oil Bhavan,
No.139, Nungambakkam High Road,
Chennai 600 034.
5. The Senior Divisional Manager,
Trichy Divisional Office,
"Triveni", III Floor, B/35 Sastri Road,
Thillai Nagar, Tiruchirappalli 620 018.
6. M/s. Safiullah and Company,
54J Main Road, Dalmiapuam
Tiruchirappalli District.

7. M/s. Golden Enterprise,
rep. by its Sole Proprietor T. Ganesh,
54-D/15, Dwaraka Apartments,
New NO.20, Madhuram Colony, Puthur,
Tiruchirappalli 620 017.
(R7 impleaded as per order dated 09.11.2017
in W.M.P.No.35151 of 2016)

... Respondents in W.P14101/2010

PRAYER in W.P.43020 of 2002 : 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 first respondent in Na.Ka.S3/31047 dated 14.11.2002 and quash the same in so far as it relates to the allotment of quota in favour of the sixth respondent herein and consequently direct the first respondent to allot 84 KL of Kerosene per month in favour of hte petitioner for supply in Perambalur District.

PRAYER in W.P.No.14101 of 2010 : 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 respondents 2 and 3 in proceedings No.g/bt/v!;/2/525/2010 dated 07.06.2010 and quash the same in so far as it relats to the reduction of allotment of quota of the petitioner to 36 KL of Kerosene in the month of June 2010 and direct the respondents 1 to 3 to continue to allot 48 KL of Kerosene every month to the petitioner for wholesale supply in Kunnam Taluk, Perambalur District from the month of July 2010 onwards on month to month basis, without any reduction .

For Petitioner : Mr. M,Baskar,
for petitioner in W.P.43020/2002
: Mr.ARL.Sundaresan,
Sr. counsel for
Mrs. A.L.Gandhimathi
in W.P.14101/2010
For Respondents : Mr. I.Satish , AGP,
for R1 in W.P.43020/2002
for R1 to R3 in W.P.14101/2010
: P.N.Radhakrishnan,
for R2, R3 & R4 in W.P.43020/2002
for R4 to R6 in W.P.14101/2010
: Mr.Loganathan
for R5 & R6 in W.P.43020/2002
: Mr.R. Vishnu
for R7 in both W.Ps

COMMON O R D E R

The learned counsel for the petitioner seeks permission of this Court to withdraw these writ petitions with liberty to the petitioner to approach the Indian Oil Corporation seeking for dealership in respect of Kunnam or Alandur Taluk, in Perambalur District and he has also made an endorsement to that effect.

2. In view of the submission and endorsement made by the learned counsel for the petitioner, both the writ petitions are dismissed as withdrawn, however, it is open to the petitioner to approach the Indian Oil Corporation seeking for dealership in respect of Kunnam or Alathur Taluk in Perambalur District by filing application. On receipt of such application, the Indian Oil Corporation is directed to consider the same and pass suitable orders on merits and in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

-Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

mrp

To

1. The District Collector,
Perambalur District,
Perambalur.
2. The Chairman and Managing Director
The Tamil Nadu Civil Supplies
Corporation Ltd.,
and Managing Director,
Chennai.
3. The Regional Manager,
Tamil Nadu Civil Supplies Corporation Ltd.,
Perambalur Region,
Perambalur.

4. The District Revenue Officer,
Perambalur District ,
Perambalur.

5. The District Supply Officer,
Perambalur District,
Perambalur.

+1 cc to Mr.M.Loganathan Advocate sr83902

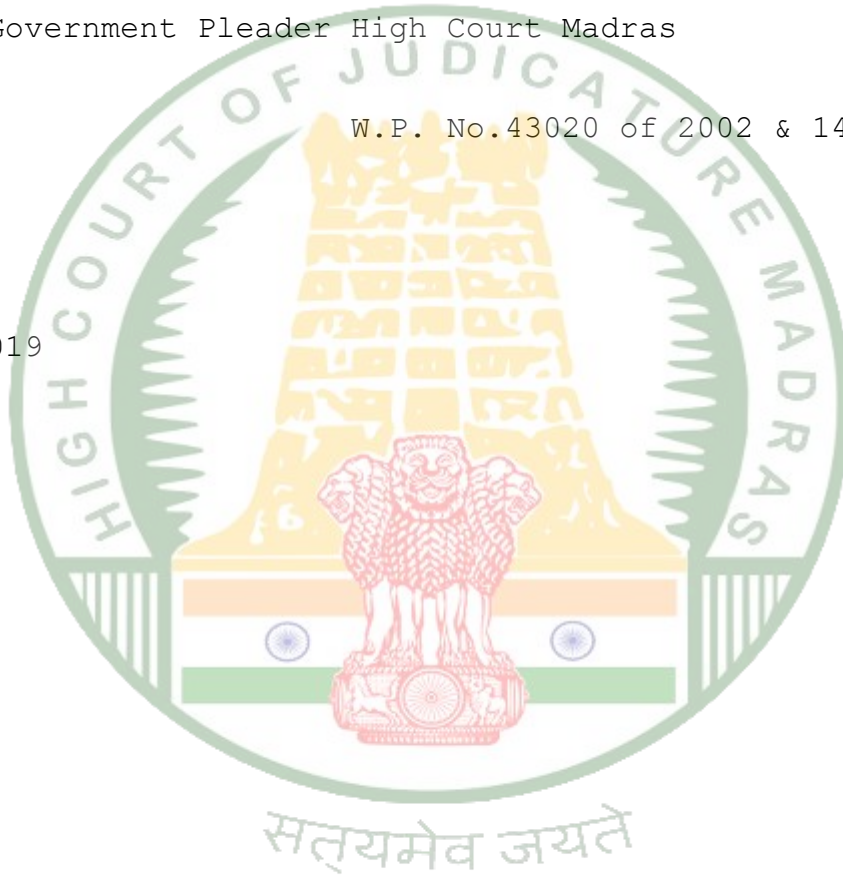
+2 ccs to Mr.P.N.Radhakrishnan Advocate sr 84350

+2 ccs to Mr.M.Baskar Advocate sr 84626 & 84625

+1 cc to Government Pleader High Court Madras
sr 84551

W.P. No.43020 of 2002 & 14101 of 2010

rsk(co)
aa13/11/2019



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