

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2019

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.NO.19159 OF 2009

P.Jeevanandam

...Petitioner

Vs.

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

2. The Senior Regional Manager,  
Hindustan Petroleum Corporation Limited,  
Coimbatore Region Office,  
18/3, Big Bazaar Street,  
Coimbatore-641 001.

... Respondents

Prayer:-

The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus calling for the records relating to the rejection order in REF:PNR/LEG dated 07.09.2009 on the file of the 2<sup>nd</sup> respondent, quash the same and direct the respondents to allot the Retail Outlet Dealership in the name of land owners of the Petroleum Retail Outlet on "Land Owners Category" as in the case of Indian Oil Corporation and Bharat Petroleum.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.N.Vijayan for  
M/s.King & Patridge

O R D E R

Heard Mr.V.Elangovan, learned counsel for the petitioner and Mr.Mr.N.Vijayan, learned counsel for the respondents and perused the materials available on record.

2.The petitioner has come forward with this writ petition for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the rejection order dated 07.09.2009 by

the second respondent and quash the same and also direct the respondents to allot retail outlet dealership in the name of the petitioner.

3. According to the petitioner, he is one of the owners of the premises situated in S.F.No.331/1, Salangapalayam Village, Bhavani Taluk, Erode District. In February 2001, the second respondent approached the petitioner and the other joint owners to lease out the land for the purpose of setting up a Petroleum Retail Outlet. After negotiation, it was decided to run the outlet by a Labour Contractor and after expiry of the period, the Retail Outlet was run as COCO Operator.

4. The grievance of the petitioner is that when the outlet was run by COCO Operator, the request of the petitioner to award Petroleum dealership under the category of land owner was not considered.

5. Mr. V. Elangovan, learned counsel for the petitioner would submit that during the pendency of the writ petition, the petitioner gave no objection to the second respondent to grant ad hoc dealership to any other eligible dealer and thereafter, the second respondent granted temporary arrangement on 23.03.2018 and appointed S. Radhamani, M/s. G.N.M. & P.M.S. Petroleum Temporary Dealership to operate the above outlet and the said arrangement would come to an end only on 22.03.2020. The learned counsel would also submit that in view of the interim arrangement, the petitioner has no objection in continuance of the ad hoc dealership by M/s. G.N.M. & P.M.S. Petroleum. The learned counsel also filed an undertaking affidavit of the petitioner dated 03.08.2019, for narrating the above facts.

6. In the light of the above undisputed facts, nothing survives for further adjudication in this writ petition and accordingly, the writ petition is closed. No costs.

Sd/-

Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

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To

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

2. The Senior Regional Manager,  
Hindustan Petroleum Corporation Limited,  
Coimbatore Region Office,  
18/3, Big Bazaar Street,  
Coimbatore-641 001.

+1cc to Mr.S.Doraisamy, Advocate, S.R.No.71453

+1cc to Mr.King & Partridge, Advocate, S.R.No.71754

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VGII(CO)  
CS/11/10/2019



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