

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.4242 of 2019
and
W.M.P.No.4770 of 2019

M/s.Sekhar Enterprises

Represented by its Proprietor T.Rajasekhar
No.245, G.N.T.Road,
Gummidipoondi 601201,
Thiruvallur District.

... Petitioner

Vs.

1. The Bharat Petroleum Corporation Limited,
Represented by its Territory Manager (Retail)
No.35, Vaidyanathan Street,
Tondiarpet, Chennai 600081.

2. The General Manager,
The Bharat Petroleum Corporation Limited,
No.1, Ranga Nathan Gardens,
11th Main Road, Anna Nagar,
Chennai-600040.

3. The Territory Manager, (Retail)
The Bharat Petroleum Corporation Limited,
No.35, Vaidyanathan Street,
Tondiarpet, Chennai 600081.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to consider petitioner's representations dated 04.02.2019 and to transfer the petitioner's out let to the land bearing S.No.342/6A2B and Survey No.342/1A2, Pappankuppam Village, Gummidipoondi 601201, Tiruvallur District, within a time limit as may be prescribed by this Hon'ble Court.

For Petitioner : Mr.R.Balachanderan

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

O R D E R

Mr.M.Vijayan, learned counsel takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents to consider their representation dated 04.02.2019, wherein and whereby, they sought for shifting the petroleum outlet from the present premises located at No.245, G.N.T. Road, Gummidipoondi, Thiruvallur District to S.No.342/6A2B and Survey No.342/1A2, Pappankuppam Village, Gummidipoondi Taluk.

3. According to the petitioner, the premises to which they seek to shift the petroleum outlet, is belonging to them and therefore, their request for shifting will be considered.

4. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the first respondent to consider and decide the same. Accordingly, this writ petition is disposed of, only by directing the first respondent to consider the representation of the petitioner dated 02.02.2019 and pass orders on the same on merits and in accordance with law, after hearing the rival claimants, if any. Such exercise shall be done by the first respondent within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sni/mk

To

1. The Bharat Petroleum Corporation Limited,
Represented by its Territory Manager (Retail)
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3. The Territory Manager, (Retail)
The Bharat Petroleum Corporation Limited,
No.35, Vaidyanathan Street,
Tondiarpet, Chennai 600081.

+1 cc to Mr.R.Balachanderan, Advocate SR.No.1454
+1 cc to M/s.King & Patridge, Advocate SR.No.13984

W.P.No.4242 of 2019

SSV(CO)
CSL/07.03.2019



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