

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

WP. No. 18563 of 2019

and

WMP.No. 17880 of 2019

M/s.C.Lakshmi Narasimham & Son
Bharath Petroleum Dealer
Rep.by its Manging Partner R.Sathyapriya
W/o. Ravichandran
No.107, Arani Road, Sankarapalayam,
Vellore -1.

..Petitioner

Vs.

1.The Territory Manager (Retail)
Chennai Territory Office
Bharath Petroleum Corporation Limited
No.35, Vaidyanathan Street, Tondaiyarpet
Chennai 81.

2.The Transport Commissioner
Ezhilagam
Chennai 5.

3.Joint Chief Controller of Explosives
South Circle Office
A and D - Wing, Block 1-8, IIInd Floor,
Shastri Bhavan, 26 Haddous Road,
Nungambakkam, Chennai 600 006.

R-4 Impleaded vide court order
dt.03/07/19 in WMP.18324/19

4.V.S.Kumaran

.. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus,
directing the First Respondent continue to supply Petrol,
Diesel, Motor Spirit, High Speed Diesel and other allied
petroleum products in accordance with the terms of Dispensing
Pump and Licensing Agreement dated 04.11.2017.

For Petitioner : M/s. Chitra Sampath, Senior Counsel
for Mr. R.Vijay

For Respondents : Mr. M.Vijayan for
M/s.King and Partridge for R1

: Mr. M.Karthikeyan for R2 and R3
Additional Government Pleader

: Mr. M.Rajasekar for R4

O R D E R

The Writ Petition has been filed for a direction to the First Respondent to continuously supply Petrol, Diesel, Motor Spirit, High Speed Diesel and other allied petroleum products in accordance with the terms of Dispensing Pump and Licensing Agreement dated 04.11.2017.

2. The Petitioner is a dealer of the petroleum products of the First Respondent. The Revenue Divisional Officer, Vellore by order No. Pa.Mu.C2/9154/2015 dated 17.06.2019 had passed an order adverse to the First Respondent against which an appeal has been preferred before the Second Respondent. It is contended by the First Respondent that in view of the aforesaid order passed by the Revenue Divisional Officer, the First Respondent is not in a position to effect the supplies which are required by the Petitioner.

3. This Court by a separate order dated 31.07.2019 in W.P. No. 19448 of 2019 filed by the First Respondent, has recorded that the parties would appear at 3.00 p.m. on 05.08.2019 in the office of the Second Respondent, before whom the appeal has been preferred, for taking up the application for interim stay of the order passed by the Revenue Divisional Officer. The entitlement to the relief sought by the Petitioner in this Writ Petition would obviously depend upon the orders that would be passed by the Second Respondent in the aforesaid appeal before the Second Respondent.

4. Recording the aforesaid subsequent events, the Writ Petition stands disposed. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Territory Manager (Retail)
Chennai Territory Office
Bharath Petroleum Corporation Limited
No.35, Vaidyanathan Street, Tondaiyarpet
Chennai 81.

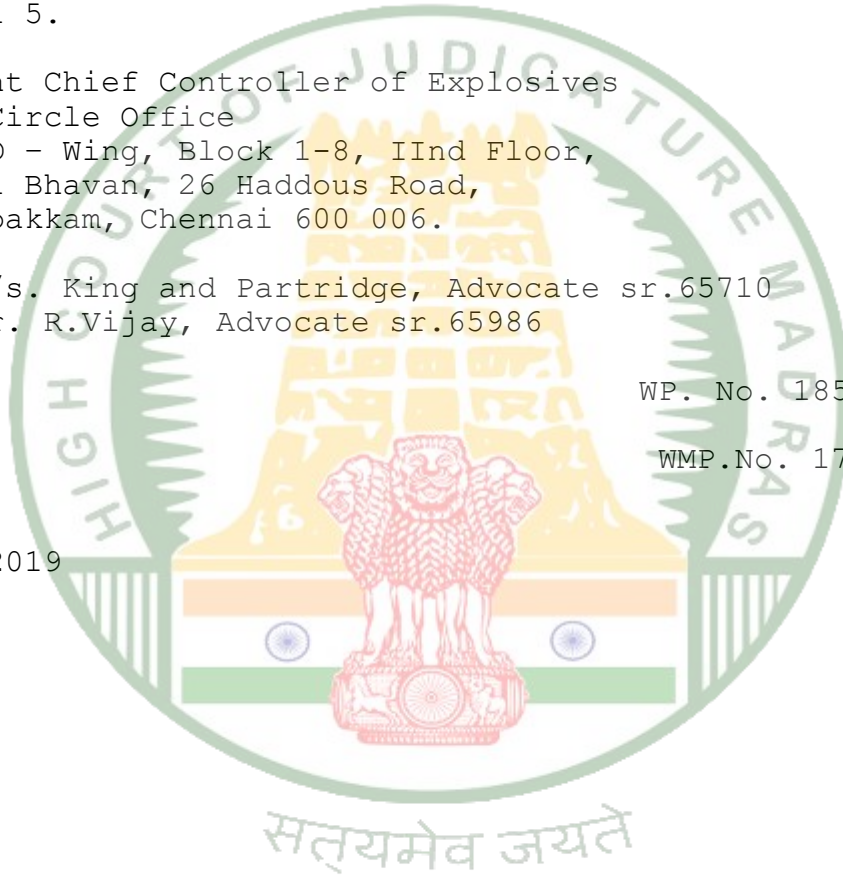
2.The Transport Commissioner
Ezhilagam
Chennai 5.

3.The Joint Chief Controller of Explosives
South Circle Office
A and D - Wing, Block 1-8, IIInd Floor,
Shastri Bhavan, 26 Haddous Road,
Nungambakkam, Chennai 600 006.

+1cc to M/s. King and Partridge, Advocate sr.65710
+2cc to Mr. R.Vijay, Advocate sr.65986

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br(co)
nr 02/08/2019



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