

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2019

CORAM

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

W.P. No. 22531 of 2019

and

WMP. No. 21960 of 2019

Vinay Solanki

... Petitioner

-Vs-

1.The Secretary to the Government
Ministry of Petroleum & Natural Gas
OMC Section, Shastri Bhavan
New Delhi.

2.The Director
Indian Oil Corporation Limited
Mumbai

3.The Indian Oil Corporation Limited
(Chennai Divisional Office)
No.500 Anna Salai, Teynampet
Chennai 600 018.

4.The Indian Oil Corporation Limited
Indian Oil Bhavan
Nungambakkam High Road
Chennai 600 034.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Indian Oil Corporation Limited (Chennai Divisional Office), No.500 Anna Salai, Teynampet, Chennai 600 018, the Third Respondent herein to pay the rent as claimed in Petitioner's representation dated 01.03.2019.

For Petitioner : Dr.R.Sampathkumar

For Respondents : Mr. J.Madanagopal Rao for R1
Mr. R.Ravi for R2 to R4

O R D E R

When the matter came up for admission on 31.07.2019, this Court passed the following order:-

"Learned Counsel for the Second to Fourth Respondents, on instructions, states that the admitted amount that is due to the Petitioner would be paid to him by way of Demand Draft by 10.08.2019 with a working-sheet showing the calculations and proof for the same would be filed before the next hearing".

2. When the matter is taken up for hearing today, Learned Counsel for the Second Respondent has produced a Demand Draft bearing No. 794108 dated 02.08.2019 for Rs.3,41,2808/- drawn on State Bank of India, Corporate Accounts Group Branch, Egmore, Chennai along with working sheet showing the calculation and the same has been received by the Learned Counsel for the Petitioner without prejudice to the rights of the Petitioner and the same is recorded. However, when it is pointed out that it would be impossible to execute the decree of the Civil Court qua the Writ Petition and the Petitioner has to initiate execution proceedings before the jurisdictional Civil Court for enforcing the relief granted in the decree by the Civil Court, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort the same.

3. Accordingly the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

dna/kv

To

1.The Secretary to the Government
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Indian Oil Bhavan
Nungambakkam High Road
Chennai 600 034.

+1cc to Dr.R.Sampathkumar, Advocate SR.No.69459

+1cc to Mr.R.Ravi, Advocate SR.No.68897

+1cc to Mr.J.Madanagopal Rao, Advocate SR.No.68893

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KJI(CO)
GMY(16/09/2019)