

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.07.2019

CORAM:

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

W.P. No.21888 of 2019

and

W.M.P. Nos.21102 to 21104 of 2019

R.Mayakannan

... Petitioner

-vs-

- 1.Executive Director (Retail)
Bharat Petroleum Corporation Ltd.,
12E/F, Maker Towers, Mumbai 400 005
- 2.Executive Director (South Retail)
Southern Regional Officer,
Bharat Petroleum Corporation Ltd.
1, Ranganathan Garden,
Off. 11th Main Road,
P.B.1212 & 1213,
Anna Nagar, Chennai 600 040
- 3.Territory Manager (Retail)
Bharat Petroleum Corporation Ltd.
A Government of India Enterprise,
Karur retail Territory,
Attur & Kadapparai Village, Attur Post,
Karur 630 008

4.M.Shri Aravindan

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India, seeking for a Writ of Certiorari , directing to call for the concerned records relating to Ref: KRT : DPRI : KOTTA dated 28.06.2019 passed by the 2nd respondent and quash the same.

For Petitioner : Mr. R.Kalaiyarasi
For Gnanasekar
For Respondents : Mr.M.Vijayan
for M/s.King and Patridge for R1 to R3

O R D E R

Mr. M. Vijayan of M/s. King and Patridge, Learned Counsel, who takes notice for the First to Third Respondents, has filed a memo dated 29.07.2019 on behalf of the Respondents, stating that

the Petitioner has got an effective alternative remedy under clause 8.9 of the Marketing Discipline Guidelines to challenge the impugned order by way of appeal before the Dispute Resolution Panel constituted thereunder. In view of the same, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to that procedure and he has made an endorsement to that effect, which is recorded.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. The time spent by the Petitioner in prosecuting this Writ Petition from the date of its filing (19.07.2019) till the date of receipt of copy of this order, shall stand excluded while calculating the period of limitation for filing appeal before the Appellate Authority. It is needless to add here that if such an appeal is filed and is otherwise in order, the Appellate Authority after affording full opportunity of hearing to the parties concerned in consonance with the principles of natural justice and the prescribed procedure shall consider the each of the contentions raised by them in such appeal and pass a reasoned order on merits in accordance with law and communicate the decision taken to them. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

rkp

To

1.Executive Director (Retail)
Bharat Petroleum Corporation Ltd.,
12E/F, Maker Towers, Mumbai 400 005

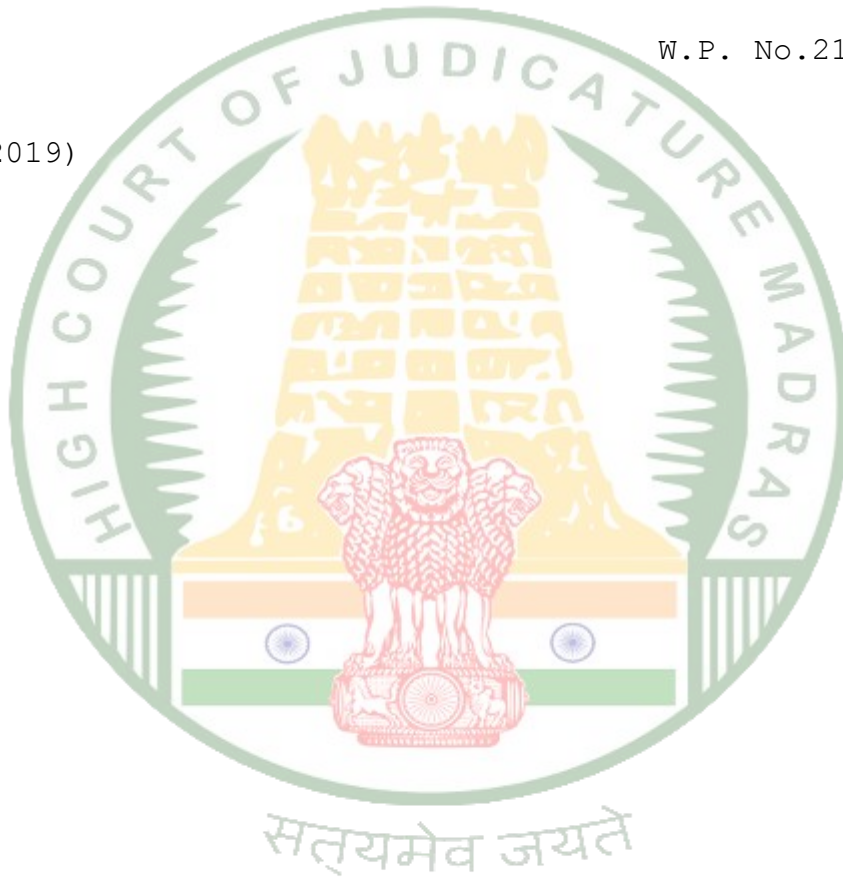
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Karur 630 008

+1cc to Mr. M.Gnanasekar, Advocate, S.R.No.64802
+1cc to Mr. King & Partridge, Advocate, S.R.No. 64808

W.P. No.21888 of 2019

NR(CO)
GN(16/08/2019)



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