

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2019

CORAM

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

W.P. Nos. 27248, 27252, 27253, 27257 and 27259 of 2019
and

W.M.P. Nos. 26657, 26660, 26662, 26663, 26666,
26670, 26671, 26672, 26674 and 26677 of 2019

Rajkamal Agencies,
Represented by its Proprietor D. Kamalraj,
S.F. No. 42/17-B, Thandarai Road,
Veraiyur, Thiruvannamalai Taluk,
Thiruvannamalai-606 806. ... Petitioner in W.P.No.27248 of 2019

J.M.S. Auto Service,
Represented by its Partner S. Thirugnaanam,
597, Vaniyambadi Road, Asiriyar Nagar,
Tirupattur, Vellore District - 635 601.
... Petitioner in W.P. No. 27252 of 2019

Sri Annapurani & Co,
Represented by its Proprietor V. Nemirajaa,
5/1, Arcot Road, Arni,
Thiruvannamalai District - 632 301.
... Petitioner in W.P. No. 27253 of 2019

Lakshmi Agencies,
Represented by its Partner J. Joseph Stephen Dass,
NH-66, Pondy-Bangalore Main Road,
Thukkapet, Chengam 606 709,
Thiruvannamalai District. .. Petitioner in W.P.No.27257 of 2019

The Flying Prince Filling Station,
Represented by its Partner D. Manam,
SH-18, Koratti, Tirupattur,
Vellore District-635 601. ...Petitioner in W.P.No.27259 of 2019

-vs-

1. Indian Oil Corporation Ltd.,
(Marketing Division)
Represented by its Deputy General Manager (Retail Sales),
Chennai Divisional Office,
500, Anna Salai, Teynampet,
Chennai - 600 018.

2. The Deputy General Manager,
Indian Oil Corporation Ltd.,
(Marketing Division),
139, Nungambakkam High Road,
Chennai - 600 034.
3. The General Manager (Operations),
Indian Oil Corporation Ltd.,
(Marketing Division),
139, Nungambakkam High Road,
Chennai - 600 034.

... Respondents in all W.Ps

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the Respondents relating to the order of the First Respondent in CDO/RO/Chittoor Supplies/Dealer Transporters, dated 20.08.2019 and quash the same and forbearing the Respondents herein and their officers from in any manner changing the loading location for the Tank Trucks of the Petitioner to any Terminal which does not have Top Loading Facility.

For Petitioners :Mr. Kandhan Duraisami (in all W.Ps)

For Respondents :Mr. Abdul Saleem
Standing Counsel (in all W.Ps)

C O M M O N O R D E R

Learned Counsel appearing for the Petitioners submits that the Petitioners have taken necessary steps to initiate arbitration proceedings in respect of the disputes which they have raised in these Writ Petitions and that applications for interim relief under Section 9 of the Arbitration and Conciliation Act, 1996, have also been made before the Original Side of this Court. In such circumstances, Learned Counsel for the Petitioners seeks permission of this Court to withdraw these Writ Petitions with liberty to pursue the matters in arbitration and he has made an endorsement to that effect, which is recorded.

2. In the result, the Writ Petitions are dismissed as withdrawn granting such liberty. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

gsa
To

- 1.The Deputy General Manager (Retail Sales),
Indian Oil Corporation Ltd.,
(Marketing Division)
Chennai Divisional Office,
500, Anna Salai, Teynampet,
Chennai - 600 018.
- 2.The Deputy General Manager,
Indian Oil Corporation Ltd.,
(Marketing Division),
139, Nungambakkam High Road,
Chennai - 600 034.
- 3.The General Manager (Operations),
Indian Oil Corporation Ltd.,
(Marketing Division),
139, Nungambakkam High Road,
Chennai - 600 034.

+1cc to M/s.Muthumani Doraisami, Advocate SR.86799

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VBA(CO)
CB(01/11/2019)