



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.09.2019
CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.18861 of 2019

Mohammed Koya

... Petitioner

vs.

The Executive Director,
Indian Oil Corporation Limited,
Indian Oil Bhavan,
139, Nungambakkam High Road,
Chennai - 600 034.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondent to consider the representation of the petitioner dated 22.07.2019 requesting the respondent herein to grant insurance amount of the death of his mother due to the gas accident within a stipulated time fixed by this Court.

For Petitioner : Mr.N.Ganagasapapathy
For Respondent : Mr.S.Ramakrishnan,
for Mr.K.Muraleedharan

ORDER

Mr.N.Ganagasapapathy, learned counsel on record for writ petitioner is before this Court.

2.Mr.S.Ramakrishnan, learned counsel representing Mr.K.Muraleedharan, accepts notice on behalf of the respondent.

3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 22.07.2019 seeking compensation for damages said to have occurred on 10.11.2015 owing to Liquefied Petroleum Gas (LPG) cylinder bursting.

5. Notwithstanding several averments made in the affidavit filed in support of the instant writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will



suffice if the authority is directed to dispose of the aforementioned representation of the writ petitioner, dated 22.07.2019 on its own merits and in accordance with law.

6. Learned State counsel submitted that the Deputy General Manager, LPG, Area Office, No.2, Race Course Road, Madurai (hereinafter 'authority concerned' for brevity, clarity and convenience) is the authority concerned who shall consider the aforementioned representation dated 22.07.2019 made by the writ petitioner (page No.16 of the typed set of papers forming part of the case file).

7. Learned counsel for writ petitioner undertakes to forward the aforementioned representation to the respondent, who in turn shall forward the same to the authority concerned.

8. It is made clear that in the course of the representation being considered by the authority concerned, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, authority concerned shall put on notice and give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

9. The aforesaid representation dated 22.07.2019 shall be disposed of by the authority concerned on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight weeks from the date of receipt of a copy of this order.

10. The proceeding / order of disposal shall be communicated by the office of the authority concerned to the writ petitioner under due acknowledgement within seven working days from the date of completion of aforesaid exercise.

11. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)



To

The Executive Director,
Indian Oil Corporation Limited,
Indian Oil Bhavan,
139, Nungambakkam High Road,
Chennai - 600 034.

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ps

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