



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2019

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT.P.(MD)No.1628 of 2019 IN

W.P.(MD)No.5985 of 2016

WEB COPY

A.K.Mahumood Sulaiman

... Petitioner/Petitioner

Vs.

1. Dhanabal,

The Deputy General Manager(LPG),
Bharat Petroleum Corporation Ltd.,
Ranganathan Garden,
11th Main Road, Annanagar,
Chennai - 600 040.

2. P.Gopi Krishna,

The Territory Manager(LPG),
Bharat Petroleum Corporation Ltd.,
Madurai Bye Pass Road,
Thoothukudi - 628 008.

... Contemnors/Respondents 1&2

Prayer: Contempt petition is filed under Section 11 of the Contempt of Courts Act, to punish the contemnors/respondents for his willful disobedience of the order passed by this Court made in W.P. (MD)No.5985 of 2016 dated 23.04.2019.

Prayer in WP(MD) . 5985/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent herein in TCN.OPS.17, dated 15.10.2015 and quash the same and direct the respondents 1 and 2 herein to transfer the LPG connections which fall within the Kayalpattina, Municipal limits from the 3rd respondent to the petitioner.

For Petitioner : Mr.R.Vijayakumar

For Respondents : Mr.S.Natesh Raja

O R D E R

The learned counsel on either side reports compliance of the order passed by this Court. The learned standing counsel has brought before me a copy of the minutes dated 14.11.2019. The minutes reads as under:

"Members Present:

1. Mr.V.Nagarajan DGM, LPG sales-IOCL,
2. Mr.A.Jabamalaiaraj, TC LPG Tuticorin, (BPCL),
3. Mr.SVL.Narayana, Mgr.Sales(LPG), Tuticorin.



4. Mr.V.Balamurali, SO LPG-IOCL,

A meeting was organized to discuss transfer of customer as per Inter Company transfer of Connections from BPCL to Khahira Indane distributor, Kayalpattinam, and court order in case W.P.(MD)No.5895 of 2016, issued by Hon'ble Madurai Bench of Madras High Court - Mr.A.K.Mahumood Sulaiman Vs. DGM(LPG), TM, BPC & Others.

Following Points were discussed:

1. IOCL had indicated that M/s.Kahira Indane is having an average monthly refill sales, during last six months are 3984 nos. No other IOCL Customers are available for transfer in core area of M/s.Khahira Indane Distributor i.e. Kayalpattinam. Customers are to be transferred from BPCL distributors.

2. It is agreed that BPCL shall prepare a list of entire customers falling in core area of Kayalpattinam(M/s.Kahira Indane) and ensure reaching of viable limit of refill sales 4400 per month.

3. Immediately, 1000 Nos. customer will be transferred from BPCL to M/s.Khahira Indane Distributor, in order to mobilize the cylinders & Regulators, i.e. Supply of IOCL cylinders to the customer and collect/hand over of BPCL Cylinders to nearest BPCL plant, to make him viability as per point no. I) page no.3 of inter Company Transfer of Connections dated 30.11.2018 and will be reviewed by IOCL/BPCL and subsequent transfer of customers will be done by BPCL till reach the sale of 4400 per month."

2. In view of the same, the contempt petition stands closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pmu

To :

1. The Deputy General Manager(LPG),
Bharat Petroleum Corporation Ltd.,
P.O. Box 100, Garden,
Chennai-600 001

<https://hcservices.eports.gov.in/hcservices>



11th Main Road, Annanagar,
Chennai - 600 040.

2. The Territory Manager (LPG),
Bharat Petroleum Corporation Ltd.,
Madurai Bye Pass Road,
Thoothukudi - 628 008.

+1 CC to Mr.R.VIJAYAKUMAR, Advocate (SR-99257[F] dated 19/11/2019)
+1 CC to Mr.S.NATESH RAJA, Advocate (SR-99254[F] dated 19/11/2019)

CONT.P.(MD)No.1628 of 2019 IN
W.P.(MD)No.5985 of 2016
18.11.2019

MK (24.01.2020) 3P 5C