

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.12119 of 2020

Visaka Indane Gas Agencies,
Rep. By its Partner D.Sridhar,
No.97-A, RVE Nagar,
3rd Street, Kangeyam Road,
Tiruppur District,
Tamilnadu 641 604.

...Petitioner

Vs.

1.The Chairman,
Indian Oil Corporation Ltd.,
3079/3, Josip Broz Tito Marg,
Sadiq Nagar, Sector -3,
New Delhi 110 049.

2.Senior Area Manager,
Indian Oil Corporation Ltd.,
8/1079, Avinashi Road,
Coimbatore 641 018.

...Respondents

Prayer ..

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus to direct the second respondent to realign the customers of petitioner agency and transfer the customers who are located within 15 Km radius starting from petitioner showroom at Mudalipalayam to petitioner agency and subsequently transfer the customers who are located above 15 km radius from the petitioner's showroom to their nearest agency within time frame manner based on the petitioner's representation dated 28.01.2020 that may be fixed by this Court.

For Petitioner : Mr.Thambi
For Respondents : Mr.Mohammed Fayaz Ali

O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. Mr.Mohammed Fayaz Ali, learned counsel takes notice for the respondent.

3. The petitioner seeks for a mandamus to direct the second respondent to realign the customers of petitioner agency and transfer the customers who are located within 15 Km radius starting from petitioner showroom at Mudalipalayam to petitioner agency and subsequently transfer the customers who are located above 15 km radius from the petitioner's showroom to their nearest agency within time frame manner based on his representation dated 28.01.2020.

4. The petitioner is LPG distributor. The grievance of the petitioner is that the respondents are allotting customers to the distributor beyond 15kms distance of the show room and therefore, it should be restricted within 15kms. Ventilating such grievance, the petitioner made representations on 21.12.2019 and 28.01.2020. Since those representations are not considered, the petitioner has filed the present writ petition.

5. This Court is not expressing any view on the merits of the claim made by the petitioner, as it is for the second respondent to consider the said representation and pass orders on the same on merits and in accordance with law. Thus, this Writ Petition is disposed of, by directing the second respondent to consider the representations of the petitioner dated 21.12.2019 and 28.01.2020 and pass orders on the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

vsi/vri

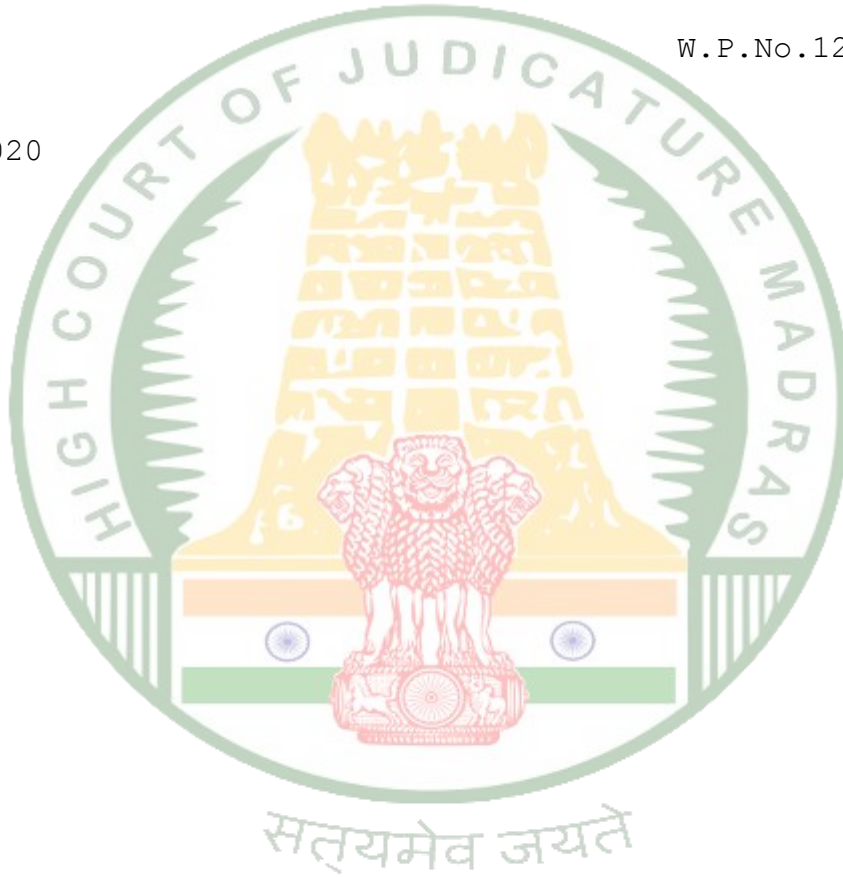
To

1.The Chairman,
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