

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2020

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.14904 of 2020
(Heard through VC)

C. Mahesh

... Petitioner

Vs.

The Senior Divisional Retail Sales Manager,
Divisional Office - Indian Oil Corporation Ltd.,
Kondalampatti Bye Pass,
Salem.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to Re-Constitution of supply of petrol and diesel to the petitioner's petrol bunk namely A.C.M. Petroleum Agency at Doddarthanahalli, Palacode Taluk, Dharmapuri District by considering the petitioner's representation dated 04.09.2020.

For Petitioner : Mr.N.Vijaya Basker

For Respondent : Mr.Mohamed Fayaz Ali

O R D E R

By consent of both parties, the writ petition is disposed of at the stage of admission itself.

2. The relief sought for in this writ petition is for a direction to the respondent for Re-Constitution of supply of petrol and diesel to the petitioner's petrol bunk namely A.C.M. Petroleum Agency at Doddarthanahalli, Palacode Taluk, Dharmapuri District by considering the petitioner's representation dated 04.09.2020.

3. The case of the petitioner is that the petitioner is the physically challenged person and was allotted license under physically challenged persons quota for running the Petrol Bunk at Doddarthanahalli, Palacode Taluk, Dharmapuri District. He has also got a Dealership from Indian Oil Corporation Limited, Salem and running a petrol bunk, namely, A.C.M. Petroleum Agency at Doddarthanahalli, Palacode Taluk, Dharmapuri District. While so,

the petitioner's elder brother's wife filed a Civil Suit against the petitioner and the respondent herein in O.S.No.26/2019 on the file of the District Munsif Court, Dharmapuri, praying to restrain him from running the Petrol Bunk in a smooth manner. By taking advantage of the Civil case, the respondent has also stopped to supply the petrol, diesel and oils to Petrol Bunk. Thereafter, the said Civil Suit was withdrawn and the copy of the judgment also circulated to the respondent. At that time, the respondent officials asked the petitioner to submit Notary Affidavit for Re-Constitution of supply to his petrol bunk. In this regard, the petitioner has made representation dated 04.09.2020 to the respondent, but till date the respondent had not come forward for Re-Constitution of supply to the petitioner's petrol bunk. Hence, the present writ petition has been filed.

4. Heard the learned counsel appearing on both sides and perused the materials available on record.

5. The learned counsel, who accepts notice on behalf of the respondent would submit that the respondent has not been entertaining any representation in the physical form and that, if the petitioner applies through on-line, the same will be considered immediately.

6. Accordingly, the petitioner is directed to apply for Re-Constitution of supply to his Petrol Bunk through On-line. On such application being made, the respondent is directed to consider the same and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner, as well as any other person interested in this regard, if required, afford them an opportunity of personal hearing or virtual hearing or otherwise considering their written objections and after verifying the relevant documents, within a period of four weeks from the date of receipt of such application.

7. With the above directions, the writ petition is disposed of. No costs.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rsi/asr

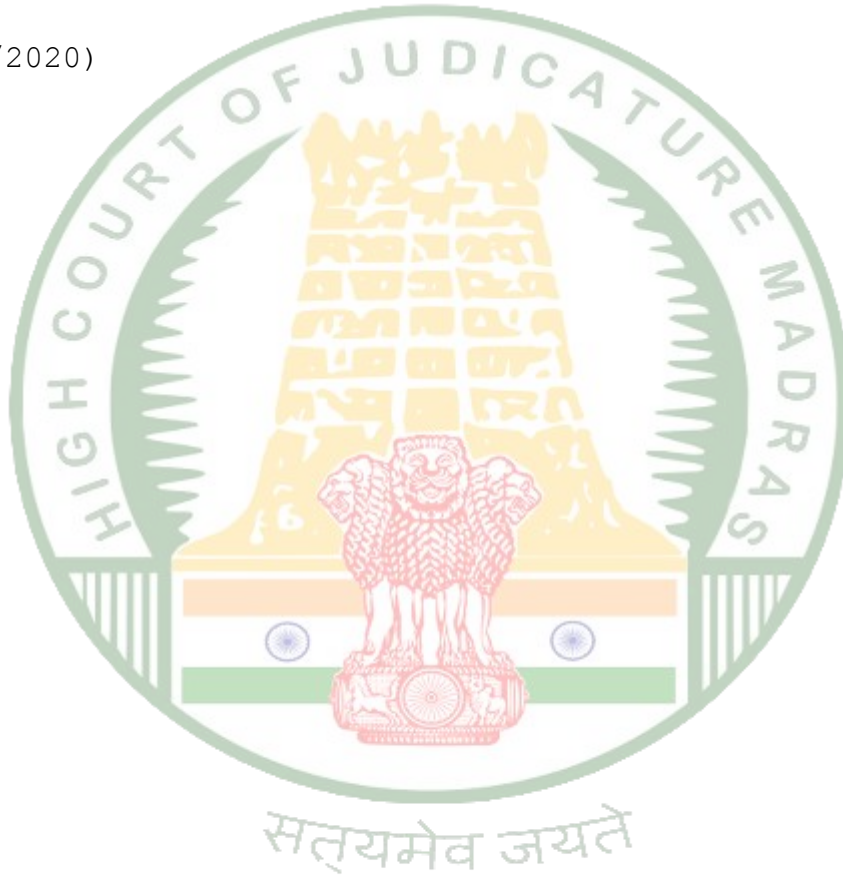
To

The Senior Divisional Retail Sales Manager,
Divisional Office - Indian Oil Corporation Ltd.,
Kondalampatti Bye Pass,
Salem.

W.P.No.14904 of 2020

NRL (CO)

RMP (01/12/2020)



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