

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.3702 of 2020

V.P.Selvaraja

... Petitioner

vs.

1.M/s.Indian Oil Corporation,

Rep. by its Executing Director (marketing),

Indian Oil Bhavan,

No.139, Nungambakkam High Road,

Chennai - 600034.

2.The Deputy General Manager,

Retail Sales,

Indian Oil Corporation Limited,

Marketing Division,

No.8/1079, Avinashi Road,

Coimbatore - 641018.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the respondents to reimburse a sum of Rs.24,43,966/- that has been debited from the petitioner SAP Account on 30.03.2019 and reinfuse the same to the petitioner's SAP Account No.V.P.Selvaraja Service Provider (273527).

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.Abdul Saleem,
Panel Advocate

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to reimburse a sum of Rs.24,43,966/- to the petitioner which according to the petitioner has been wrongly debited from his SAP Account on 30.03.2019 and reinfuse the same to his SAP Account.

2. Heard Mr.S.Doraisamy, learned counsel for the petitioner and Mr.Abdul Saleem, learned Panel Counsel for the respondents.

3. Mr.Abdul Saleem, learned Panel Counsel for the respondents on instructions would submit that there are disputed questions of fact as the respondents are not admitting the claim of the petitioner.

4. However, the learned counsel for the petitioner on instructions would submit that the petitioner is satisfied if the petitioner's representation dated 01.12.2019 seeking for payment of Rs.24,43,966/- towards the petitioner's commission is considered on merits and in accordance with law by the respondents. For this submission, learned Panel Counsel for the respondent has not raised any serious objection.

5. After recording the rival submissions, this Court directs the first respondent to consider the petitioner's representation dated 01.12.2019 seeking for payment of Rs.24,43,966/- which according to him is the amount payable to him towards his commission from November 2013 to February 2019 for LPG sales and pass final orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this Order.

6. With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Executing Director (marketing),
M/s.Indian Oil Corporation,
Indian Oil Bhavan,
No.139, Nungambakkam High Road,
Chennai - 600034.

2.The Deputy General Manager,
Retail Sales,
Indian Oil Corporation Limited,
Marketing Division,
No.8/1079, Avinashi Road,
Coimbatore - 641018.

+1cc to Mr.S.Doraisamy, Advocate Sr.NO.19829

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PL(CO)
NR 21/04/2021