



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-09-2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.2119 of 2016

And

WMP Nos.1845 and 1846 of 2016

M/s.Mettur Taluk Lorry Owners Association,
Door No.14/1-73,
Salem Main Road,
Pudusampalli,
Mettur Dam - 3,
Salem District,
Represented by its Secretary,
S.Venkatachalam.

...Petitioner

vs.

1. The Secretary,
Ministry of Petroleum,
Oil and Natural Gas,
Government of India,
New Delhi - 2.
2. The Ch. Regional Manager,
Hindustan Petroleum Corporation Limited,
Coimbatore Regional Office,
HP House, 18/3, Big Bazaar Street,
Coimbatore - 641 001.

.Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned letter in Ref:CBRO/KVN/RET dated 04.01.2016 on the file of the second respondent quash the same and direct the second respondent to renew the agreement for maintenance and handling for further period till the dealer is appointed.

For Petitioner	:	Mr.S.Doraisamy
For Respondent-1	:	Mr.G.Ilangovan
For Respondent-2	:	Mr.M.Vijayan for M/s.King and Partridge.



O R D E R

The order impugned dated 04.01.2016, issued by the second respondent, states that as per Clause No.6 of the Agreement for Maintenance and Handling executed between the petitioner and the Oil Corporation, wherein it was agreed that the service provider shall handover the peaceful possession of the Retail Outlet premises along with Corporation property at the close of business hours on 05.02.2016.

2. Pursuant to the interim order granted in the present writ petition, the petitioner is continuing the business.

3. The learned counsel appearing on behalf of the petitioner fairly made a submission that they are not disputing the issues, but the fact remains that the petitioner is running the Retail Petrol Bunk successfully and profitably. Under these circumstances, the petitioner may be provided with an opportunity to continue the same by the second respondent.

4. The learned counsel appearing on behalf of the second respondent made a submission that in the event of submitting any application by the petitioner, the same will be considered by the second respondent on merits and in accordance with law.

5. This being the respective submissions made on behalf of the parties to the lis on hand, the petitioner is at liberty to submit such an application and in the event of receiving any such application, the second respondent shall consider the same on merits and in accordance with law as expeditiously as possible.

6. With the abovesaid liberty, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

Svn



To

1. The Secretary,
Ministry of Petroleum,
Oil and Natural Gas,
Government of India,
New Delhi - 2.

2. The Ch. Regional Manager,
Hindustan Petroleum Corporation Limited,
Coimbatore Regional Office,
HP House, 18/3, Big Bazaar Street,
Coimbatore - 641 001.

+1cc to Mr.S.Doraisamy, Advocate, S.R.No.50998
+1cc to Mr.G.Iangovan, Advocate, S.R.No.51228
+1cc to Mr.King and Partridge, Advocate, S.R.No.50797

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GSM(CO)
RGA(13/10/2021)

30-09-2021