



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.7843 of 2021
and WMP.No.8369 of 2021

V.P.Selvaraja

...Petitioner

Vs

The Chief Divisional Retail Sales Manager,
Indian Oil Corporation Limited,
Marketing Division, Indian Oil Bhavan,
8/1079, Avinashi Road,
Coimbatore - 641 018.

...Respondent

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus forbearing the respondent from calling for the notification for the appointment of new service provider in respect of the petitioner's retail outlet viz. Permanent COCO (Swagat Retail Outlet) near Chengapalli (NH-47) situated at S.F.No.76/3 (Old S.F.No.216, Vadamugham Kangeyampalayam Village, Uttukuli Taluk, Tiruppur District and direct the respondent to continue the petitioner as a service provider till the appointment of regular dealer.

For Petitioner : Mr.S.Doraisamy

For Respondent : Mr.Mohammed Fayar Ali

O R D E R

The prayer made in this writ petition is to forbear the respondent from issuing the notification for appointment of new service provider in respect of the petitioner's retail outlet viz. Permanent COCO (Swagat Retail Outlet) near Chengapalli (NH-47) situated at S.F.No.76/3 (Old S.F.No.216, Vadamugham Kangeyampalayam Village, Uttukuli Taluk, Tiruppur District and consequently, direct the respondent to continue the petitioner as a service provider till the appointment of regular dealer.

2.Upon notice, the respondent filed a detailed counter affidavit, stating inter alia that the petitioner upon expiry of the contractual period and selection of new service provider, is required to hand over the retail outlet to the respondent and he



does not have any right to continue in occupation of the said premises thereafter. It is also averred that the selection process has been carried out as per the guidelines and the result has also been declared on 27.01.2021 for service provider contract and hence, the relief sought in this writ petition has become infructuous.

3.However, today, when the matter was taken up for consideration, the learned counsel for the petitioner submitted that subsequent to the filing of this writ petition, the claim of the petitioner was rejected and hence, this writ petition may be closed, with liberty to the petitioner to challenge the same in accordance with law.

4.Granted such liberty to the petitioner, this writ petition stands closed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

The Chief Divisional Retail Sales Manager,
Indian Oil Corporation Limited,
Marketing Division, Indian Oil Bhavan,
8/1079, Avinashi Road,
Coimbatore - 641 018.

+1 cc to M/s.S.Doraisamy, Advocate Sr.No.32755

W.P.No.7843 of 2021

SSV(CO)
RVM(19/08/2021)