

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2021

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
W.P.No.9242 of 2021
and W.M.P.Nos.9793 and 9794 of 2021

M.Shanthi

...Petitioner

Vs

1. Union of India,
Represented by its Secretary,
Ministry of Petroleum and Natural Gas,
New Delhi.
 2. The Chairman and Managing Director,
Hindustan Petroleum Corporation Limited,
17, Jamsedji Tata Road,
Mumbhai - 400 020.
 3. The General Manager,
Retail RO,
Hindustan Petroleum Corporation Limited,
Petro Bhavan, 2nd Floor,
NewNo.82, TTK Road, Alwarpet,
Chennai 600 018.
 4. The Chief Regional Manager,
Retail RO, Hindustan Petroleum Corporation Limited,
Level4, GK Towers,
D.No.395/2, First Main Road,
New Fairlands, Salem - 636 016.
 5. The Sales Officer,
COCO Outlet,
Hindustan Petroleum Corporation Limited,
Shoolagiri,
Krishnagiri
- ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records in connection with show the cause notice dated 22.03.2021 of 4th respondent and quash the same.

For Petitioner

:

Mr.K.Thiruvengadam

ORDER

The petitioner has filed the above writ petition praying for issuance of Writ of Certiorari to call for the records in connection with the show cause notice dated 22.03.2021 of the fourth respondent and quash the same.

2. The petitioner, who was the dealer for a Petroleum Retail outlet of the second respondent-Corporation, by virtue of a Dealership Agreement dated 25.02.2015, has now challenged the show cause notice dated 22.03.2021 for violation of the Dealership Agreement.

3. Heard the learned counsel for the petitioner and perused the materials on record.

4. As the show cause notice has called upon the petitioner to give a written explanation on the allegations set out thereon within 7 days, the learned counsel for the petitioner would submit that he has immediately given a reply on 01.04.2021 to the fourth respondent.

5. It is further stated that while the matter is pending enquiry, the respondents-Corporation have taken possession from the petitioner and dealing with the outlet by themselves.

6. Be that as it may, as the very challenge is only to the show cause notice dated 22.03.2021 and admittedly a reply has been given to the fourth respondent on 01.04.2021, without going into the merits of the case, this Court directs the fourth respondent to whom the reply was given on 01.04.2021 to consider the same on merits and in accordance with law, after affording an opportunity of personal hearing or virtual hearing to the petitioner and pass appropriate orders on or before 30.04.2021 and report compliance to this Court.

7. With the above said direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

8. Post the matter on 30.04.2021 'for reporting compliance'.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

srn
To

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A.SK(19.04.2021)

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