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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2021

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.23822 of 2018

Gouramma

...Petitioner

Versus

1.The Indian Oil Corporation,
536-Anna Salai,
Teynampet,
Chennai - 600 018.

2.M/s.Sri Venkateswara Indane Gas Agencies,
Indane Gas Agencies,
Indane Gas Distributors,
5/45-1, Taluk Office Road,
Hosur, Krishnagiri District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 1st respondent herein to consider and pass order on the representation dated 26.09.2016 sent by the petitioner in accordance with law and within a stipulated period.

For Petitioner : M/S.K.Govi Ganesan

For R1 : Mr.Mohammed Fayaz Ali

For R2 : No appearance

O R D E R

This Writ Petition has been filed, seeking for issuance of a Writ of Mandamus, to direct the 1st respondent herein to consider and pass order on the petitioner's representation dated 26.09.2016 in accordance with law and within a stipulated period.

2. The case of the writ petitioner is that the petitioner has given a representation dated 26.09.2016 to the respondents, demanding the grant of compensation for a sum of Rs.90,00,000/- for damages that had taken place due to the cylinder blast occurred in the petitioner's house. According to the petitioner,



the incident had taken place due to inefficiency on the part of the respondents. However, till date the respondents have not taken any steps to consider and dispose of the petitioner's representation dated 26.09.2016, which prompted the petitioner to approach this Court, seeking appropriate orders.

3. The learned counsel appearing for the 1st respondent, referred to the counter affidavit filed on behalf of the respondents, wherein, the averments made in the Writ Petition were denied and submitted that the petitioner is not at all a customer of Indane LPG and there is no record of service connection at the address mentioned by the petitioner. Therefore, the respondents are not in a position to consider the petitioner's claim.

4. Further, the learned counsel appearing for the 1st respondent submits that since the petitioner is not a customer of the Indane LPG, the respondents are no way responsible for the leakage of the cylinder and blast occurred in the petitioner's house and the injuries sustained by the petitioner physically.

5. However, it is pertinent to note that there is no impediment for the respondents to consider the representation and dispose of the same by citing all the averments mentioned in the counter affidavit. When a representation is made, it is incumbent upon the respondents to consider and dispose of the same in accordance with law and considering the representation itself does not mean that allowing the claim made in the representation. Therefore, it is not fair on the part of the respondents to keep the representation pending without disposal of the same all along these years, which shows lethargic attitude on the part of the 1st respondent.

6. In view of the above, this Court directs the 1st respondent to dispose of the petitioner's representation dated 26.09.2016 within a period of four weeks from the date of receipt of a copy of this order on merits and in accordance with law.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar



sp/jd

To

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- 1.The Indian Oil Corporation,
536-Anna Salai,
Teynampet,
Chennai - 600 018.

+lcc to Mr.K.Govi Ganesan, Advocate, S.R.No.69184

W.P.No.23822 of 2018

MT(CO)
CB(02/02/2022)