



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.24417 OF 2021

Dharmalingam

... Petitioner

.Vs.

1. Bharat Petroleum Corporation Ltd.
Rep. by its Senior General Manager,
LPG Division, P.B.No.1644,
Peelamedu,
Coimbatore - 641 004.

2. M/s.Karthik Agencies
Rep. by its Proprietor
Mr.A.K.Kumaresan

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to dispose of the petitioner's representation dated 26.10.2021.

For Petitioner : Mr.R.Karthikeyan

For Respondents : Mr.M.Vijayan for R1
for M/s.King and Partridge

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing the first respondent to dispose of the petitioner's representation dated 26.10.2021.

2.The case of the petitioner is that the second respondent is running a LPG Gas Distributorship and has obtained dealership (for LPG Division) from the first respondent. During the course of business, the second respondent approached the petitioner and



sought for loan of Rs.40 Lakhs for his dealership business. Accordingly, the petitioner advanced a loan of Rs.40 Lakhs to the second respondent. Thereafter the second respondent failed to repay the amount and is taking steps to reconstitute/transfer the distribution agency to third parties. Hence, the petitioner made representation to the first respondent objecting to approve or permit any measures of transfer, reconstitution of the dealership and since the said representation is pending consideration, the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner would submit that this Court may issue direction to the first respondent to dispose of the petitioner's representation dated 26.10.2021, within a reasonable time frame.

4.The learned counsel appearing for the first respondent raise no serious objection for this Court considering the request made by the learned counsel appearing for the petitioner and would submit that the petitioner's representation would be considered after affording an opportunity of hearing to the second respondent.

5.Heard the submissions made by the learned counsel appearing for the petitioner as well as the learned counsel appearing for the first respondent. Since this Court is not inclined to pass any adverse order as against the second respondent, notice to the second respondent is dispensed with.

6.Considering the limited relief sought for in this petition, this Court directs the first respondent to consider the petitioner's representation dated 26.10.2021, on merits and in accordance with law and after affording an opportunity of hearing to the second respondent, pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Senior General Manager,
Bharat Petroleum Corporation Ltd.
LPG Division, P.B.No.1644,
Peelamedu,
Coimbatore - 641 004.

+2ccs to Mr.R.Karthikeyan, Advocate SR.NO.58701
+1cc to M/s.King and Partridge, Advocate SR.NO.58630

W.P.No.24417 of 2021

PMK (CO)
PM/07/12/2021