



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.29634 of 2019
and WMP.No.29533 of 2019

Arulkumaran @ Arul Anbarasu ... Petitioner

Vs

1. The Area Manager (LPG-S)
Indian Oil Corporation,
Marketing Division,
No.500, Anna Salai,
Teynampet, Chennai - 600 018.

2. The Deputy Chief Controller of Explosives,
Sastri Bhavan 2nd floor,
Nungambakkam, Chennai - 600 006.

3. Mrs.Hemalatha ... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 1 and 2 respondents to cancel the Gas cylinder godown license of the third respondent granted in Form F, Gas Cylinder Rules 2016 as on dated 29.12.1994 under License code No.G/SC/TN/06/802 (G4188) by considering the petitioner representation dated 04.07.2019 and 09.07.2019.

For Petitioner : Mr.C.Kanagaraj

For R1 : Mr.R.Ravi, CGSC

For R2 : Mr.J.Madanagopal Rao

For R3 : Mr.K.V.Sajeev Kumar



O R D E R

The prayer made in this writ petition is to direct the respondents 1 & 2 to consider the petitioner's representations dated 04.07.2019 and 09.07.2019 and cancel the Gas cylinder godown license granted to the third respondent under License code No.G/SC/TN/06/802 (G4188).

2.Upon notice, the third respondent filed a detailed counter affidavit, stating inter alia that already a suit in O.S.No.298 of 2019 is pending, in which, by order dated 05.09.2019, made in I.A.No.1004 of 2019, the third respondent obtained an order of interim injunction restraining the petitioner from in any manner causing hindrance or interference with the peaceful running of the gas agency till the disposal of the suit. The said order was not challenged by the petitioner by filing any appeal, till date. Hence, no cause of action arises for filing this writ petition.

3.However, today, when the matter was taken up for consideration, both the learned counsel for the petitioner as well as the respondents jointly submitted that the claim of the petitioner was considered by order dated 12.07.2019 passed by the second respondent and hence, nothing survives for adjudication herein.

4.Recording the above submission made by the learned counsel for both sides, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Area Manager (LPG-S)
Indian Oil Corporation,



Marketing Division,
No.500, Anna Salai,
Teynampet, Chennai - 600 018.

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2. The Deputy Chief Controller of Explosives,
Sastri Bhavan 2nd floor,
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RGN(CO)
SB(22/10/2021)