



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.26638 OF 2018

&

WMP.NO.31011 OF 2018

M/s.Raksha Agency,
Registered Partnership Firm having
Registration No.598/2016
Representated by Finance cum Working Partner Mr.D. Shivaji
S/o. Dhandapani,
Natrampalli Road,
Pudupettai, Tirupatthur,
Vellore District - 635 651
Tamil Nadu

... Petitioner

Vs

1. Indian Oil Corporation Ltd.,
(IOCL) Public Limited Company through
the General Manager,
Regional Office at No.139,
Nungambakkam High Road,
Chennai - 600 034.

2. Mr.P.Ravi

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to take appropriate action on the representation dated 31.08.2018 submitted by the petitioner, thereby direct the first respondent not to issue "No Objection Certificates" in favour of the second respondent for transferring Dealership for running Petrol Bunk in the name and style of M/s. Raksha Agencies, functioning at Natrampali Road, Pudupettai, Tirupattur, Vellore District - 635651.

For Petitioner : M/s.Prakash Adiapadam.

For Respondents : Mr.Mohammed Fayaz Ali (R1)
Mr.N.Manohar for (R2)



ORDER

The relief sought for in this Writ Petition is to issue a Mandamus, directing the first respondent to take action on the representation dated 31.08.2018 submitted by the petitioner, thereby direct the first respondent not to issue "No Objection Certificate" in favour of the second respondent for transferring Dealership for running Petrol Bunk in the name and style of M/s. Raksha Agencies, functioning at Natrampalli Road, Pudupettai, Tirupattur, Vellore District - 635651.

2. Today, when the matter was taken up for hearing, both the learned counsel appearing for the petitioner as well as the second respondent submitted that subsequent to filing of this writ petition, the petitioner filed a civil suit in O.S.No.237 of 2018, before the Principal District Munsiff Court Thirupattur and thereafter, the second respondent herein has also filed a suit in O.S.No.1239 of 2019 and the same are still pending.

3. In view of the above submission made by the learned counsel for either side, this Court is of the view that the relief sought in this writ petition cannot be granted to the petitioner, however, it is open to the petitioner as well as the second respondent to agitate their rights before the civil court, where the suits are pending. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

msr

To

The Indian Oil Corporation Ltd.,
(IOCL) Public Limited Company through
The General Manager,
Regional Office at No.139,
Nungambakkam High Road,
Chennai - 600 034.

W.P.No.26638 of 2018

AD(CO)
CS/20/10/2021