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W.P.Nos.13179, 13181, 26879 and 26880 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2022

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THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.Nos.13179, 13181, 26879 and 26880 of 2017

and

W.M.P.Nos.28648 to 28651, 14169, 14170, 14172 & 14173 of 2017

S.Kuppuswamy

... Petitioner in W.P.No.13179/2017

Tamil Nadu Kerosene Dealers Association

(Reg. No.830/2000),

Rep. by its Secretary,

No.87, Karaneeswarar Pagoda Street,

Mylapore, Chennai – 600 004.

... Petitioner in W.P.No.13181/2017

Tamil Nadu Kerosene Dealers Association

(Reg. No.830/2000),

Rep. by its Secretary, K.M.V.Bhuvaneshwran @ Durai

No.87, Karaneeswarar Pagoda Street,

Mylapore, Chennai – 600 004.

... Petitioner in W.P.No.26879/2017

S.Kuppuswamy

... Petitioner in W.P.No.26880/2017

VS.



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1. Union of India,
Rep. by its Secretary,
Ministry of Petroleum and Natural Gas,
Shastri Bhawan, New Delhi – 110 001.
2. The Director General,
Petroleum Planning and Analysis Cell,
Ministry of Petroleum and Natural Gas,
Shastri Bhawan, New Delhi – 110 001.
3. The Director (S & P),
Petroleum Planning Section,
Ministry of Petroleum and Natural Gas,
Shastri Bhawan, New Delhi – 110 001.
4. The Government of Tamil Nadu,
represented by its Secretary,
Food and Consumer,
Protection Department,
Secretariat, Chennai – 600 009.
5. The Commissioner of Civil Supplies,
Rep by its Commissioner,
Food and Consumer,
Protection Department,
Ezhilagam, Chennai – 600 005.

... Respondents in all the W.Ps

Prayer in W.P.Nos.131179 and 13181 of 2017:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the respondents in order No.P21016/02/2017-Dist Government of India Ministry of Petroleum and



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Natural Gas dated 17.03.2017 and quash the same in so far as it has reduced the allotment of kerosene from 81,168 K.L. per quarter to 53,820 K.L. per quarter and to make allocation of kerosene to the State of Tamil Nadu considering per capita requirement on uniform basis.

Prayer in W.P.Nos.26879 and 26880 of 2017:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent in order No.P21016/02/2017-Dist Government of India Ministry of Petroleum and Natural Gas dated 22.09.2017 and quash the same in so far as it has reduced the allotment of kerosene from 81,168 K.L. per quarter to 48,444 K.L. per quarter and further direct the 1st respondent to make allocation of kerosene to the State of Tamil Nadu considering requirement on uniform basis.

For Petitioner : Mr.M.Kemprij in all W.P.s

For Respondents : Mr.T.V.Krishnamachari,
Senior Panel Counsel for Central Govt.
for R1 to R3 in all W.P.s

Mrs.V.Yamunadevi,
Special Government Pleader
for R4 and R5 in all W.P.s



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COMMON ORDER

WEB COPY The prayers in the writ petitions are as follows:

To call for the records of the respondents in order No.P21016/02/2017-Dist Government of India Ministry of Petroleum and Natural Gas dated 17.03.2017 and quash the same,

in so far as it has reduced the allotment of kerosene from 81,168 K.L. per quarter to 53,820 K.L. per quarter and to make allocation of kerosene to the State of Tamil Nadu considering per capita requirement on uniform basis and

in so far as it has reduced the allotment of kerosene from 81,168 K.L. per quarter to 48,444 K.L. per quarter and further direct the 1st respondent to make allocation of kerosene to the State of Tamil Nadu considering requirement on uniform basis.

2. Heard Mr.M.Kempuraj, learned counsel for the petitioner, Mr.T.V.Krishnamachari, learned Senior Panel Counsel for Central Government for the respondents 1 to 3 and Mrs.V.Yamunadevi, Special Government Pleader for respondents 4 and 5.



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3. Mr.T.V.Krishnamachari, learned Senior Panel Counsel for Central

Government for the respondents 1 to 3 would submit that the issue is squarely covered by the judgment of this Court in W.P.Nos.35491 and 35495 of 2019, wherein, the very same Association challenged the rejection of allotment of kerosene to the State of Tamil Nadu.

4. It is seen from the said order that this Court had gone into the question elaborately and dismissed the writ petition. In view of the same, these writ petitions will also stand dismissed. No costs. Consequently, the connected writ miscellaneous petitions are closed.

07.07.2022

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Index: No

Internet: Yes

Speaking order

Note:- Issue order copy by **11.07.2022**



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To
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- 1.The Secretary,
Union of India,
Ministry of Petroleum and Natural Gas,
Shastri Bhawan, New Delhi – 110 001.
- 2.The Director General,
Petroleum Planning and Analysis Cell,
Ministry of Petroleum and Natural Gas,
Shastri Bhawan, New Delhi – 110 001.
- 3.The Director (S & P),
Petroleum Planning Section,
Ministry of Petroleum and Natural Gas,
Shastri Bhawan, New Delhi – 110 001.
- 4.The Secretary,
Government of Tamil Nadu,
Food and Consumer,
Protection Department,
Secretariat, Chennai – 600 009.
- 5.The Commissioner of Civil Supplies,
Rep by its Commissioner,
Food and Consumer,
Protection Department,
Ezhilagam, Chennai – 600 005.



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R.SUBRAMANIAN, J.

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