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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2022

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THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

WRIT PETITION NOS.26168 OF 2017

AND

W.M.P.NOS.27815, 27816 & 31347 OF 2017

AND

W.P.NO.44359 OF 2016

W.P.NO.26168 OF 2017

S.Gopu

... Petitioner

-Versus-

1. Bharat Petroleum Corporation Ltd.,
Rep. By its Chairman,
'Bharath Bhavan' 4 & 6 Currimbhoy Road,
Bellard Estate, P.B.No.688,
Mumbai - 400 001.

2. The Territory Managing - LPG,
Bharat Petroleum Corporation Ltd.,
Coimbatore LPG Plant,
Post Box No.1644, Peelamedu,
Coimbatore - 640 004.

3. S.Karthick

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari calling for the entire records pertaining to the impugned proceeding of the 2nd respondent in CEB:LPG:LOI:COIMBATORE (RACE COURSE/SUNGAM) dated 19.08.2017 and to quash the same.

W.P.NO.44359 OF 2016

S.Gopu

... Petitioner

-Versus-



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1. Bharat Petroleum Corporation Ltd.,
Rep. By its Chairman,
'Bharath Bhavan' 4 & 6 Currimbhoy Road,
Bellard Estate, P.B.No.688,
Mumbai - 400 001.

2. The Territory Manager-LPG,
Bharat Petroleum Corporation Ltd.,
Coimbatore LPG Plant,
Post Box No.1644, Peelamedu,
Coimbatore - 640 004.

3. S.Karthik *
[*3rd Respondent impleaded as per order
dated 02.06.2017 made in W.M.P.No.3553
of 2017 in W.P.No.44359 of 2016]

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the entire records in connection with the impugned order of the 2nd respondent in Ref.CBE:LPG:RACE COURSE/SUNGAM dated 08.12.2016 and to quash the same and for a consequential direction to the respondents to issue Letter of Intent in favour of the petitioner.

For Petitioner : No Appearance
For Petitioner
in both Writ Petitions

For Respondent(s) : Mr.O.S.Karthikeyan
For RR1 and 2
in both Writ Petitions

Mr.K.Sridhar
For R3
in both Writ Petitions

COMMON ORDER

Earlier, when the writ petitions came up on 09.03.2022 for hearing, the learned counsel for the petitioner submitted that he had already handed over the papers to the petitioner and withdrawn his appearance on behalf of the petitioner. Recording the submission of the learned counsel, this court had directed the Registry to print the name of the petitioner in the cause title and list the matters on 27.03.2022. Even on 27.03.2022, when the matter came up for hearing, there was no representation



on behalf of the petitioner in both writ petitions. Thus, it appears that the petitioner is not interested in prosecuting the matters further and as such this court is inclined to dismiss the writ petitions for non-prosecution.

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2. However, it has been brought to the notice of this court that pending writ petitions, based on the temporary Letter of Intent given by the respondents 1 and 2 pursuant to the order of this court, the 3rd respondent has started operating the LPG Dealership.

3. In the above circumstances, the learned counsel for the 3rd respondent prayed this court that the respondents 1 and 2 may be directed to issue a permanent Letter of Intent in favour of the 3rd respondent for LPG Dealership.

In view of the above, both the writ petitions are dismissed for non-prosecution, however, with a direction to the respondents 1 and 2 to issue a permanent letter of intent in favour of the 3rd respondent for LPG Dealership. No costs. Consequently, connected WMPs stand closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kmk

To

1. Bharat Petroleum Corporation Ltd.,
Rep. By its Chairman,
'Bharath Bhavan' 4 & 6 Currimbhoy Road,
Bellard Estate, P.B.No.688,
Mumbai - 400 001.

2. The Territory Managing - LPG,
Bharat Petroleum Corporation Ltd.,
Coimbatore LPG Plant,
Post Box No.1644, Peelamedu,
Coimbatore - 640 004.

+1cc to Mr.K.Sridhar, Advocate, S.R.No.19097

WRIT PETITION NO.26168 OF 2017 AND
WRIT PETITION NO.44359 OF 2016

MT(CO)
PBS/12/04/2022