



WEB COPY



W.P.No.11320 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2023

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.11320 of 2013

A.P.Venkatesan

.. Petitioner

vs

1. Hindustan Petroleum Corporation Ltd.
Represented by Senior Regional Manager
Chennai LPG Regional Office
“Petro Bhavan” 3rd Floor
New No.82, Old No.47, TTK Road
Alwarpet, Chennai – 600 018.

2. T.K.Kalyanaraman

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorari, calling for the records of the respondent in respect of the order of terminating of distributorship dated 19.06.2012 ref:CHNL.RO/RH/LPG passed by the first respondent and quash the same.

For the Petitioner : Mr.P.B.Sampath Kumar

For the Respondents : Mr.M.Vijayan
for M/s.King and Partridge
for respondent 1



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ORDER

The order of termination, terminating the distributorship agreement dated 12.12.2011 in proceedings dated 19.06.2012 is under challenge in the present writ proceedings.

2. The learned counsel appearing on behalf of the respondent Petroleum Corporation brought to the notice of this Court that the petitioner has invoked the arbitration clause under the agreement and an arbitrator was appointed, who in turn passed the final award on 05.08.2013. The arbitration award passed under the Arbitration and Conciliation Act, 1996 is challenged by the writ petitioner in O.P.No.909 of 2013 before this Court. Thus, the impugned order of termination of distributorship agreement, which is under challenge in the present writ petition and an arbitration award, which was subsequently passed is under challenge in the O.P.No.909 of 2013.



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3. That being the factum, no further adjudication needs to be undertaken in respect of the writ petition and the petitioner is at liberty to raise all the grounds raised in this writ petition in the O.P filed by the petitioner, challenging the arbitration award.

4. With these directions, the writ petition stands disposed of as infructuous. There will be no order as to costs.

13.03.2023
(¹/₂)

Index : Yes/No
Neutral Order: Yes/No
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To:

1. Hindustan Petroleum Corporation Ltd.
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Chennai LPG Regional Office
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S.M.SUBRAMANIAM,J.

(drm)

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