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W.P.No.11565 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2023

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.11565 of 2022
and
W.M.P.No.11048 of 2022

S.P.Adhimoolam

.. Petitioner

VS

- 1.Indian Oil Corporation Ltd.,
Marketing Division Head Office,
Indian Oil Bhavan,
G-9, Aliyavar Jung Marg,
Bandra (East)
Mumbai-400051.
- 2.Indian Oil Corporation Limited,
Indian Oil Bhavan,
No.139, Nungambakkam High Road,
Chennai-600 034.
- 3.The General Manager (Sales),
Indian Oil Corporation Limited,
Marketing Division,
Indian oil Bhavan,
No.139, Nungambakkam High Road,
Chennai-34.
- 4.The Deputy General Manager (Sales),
Indian Oil Corporation Limited,
Marketing Division,
No.500, Annasalai, Chennai-35.
- 5.Indian Oil Corporation Limited
(Marketing Division)
Salem Divisional Office,
No.234, 1st Floor, NH-7,



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Salem Bangalore Bypass Road,
Kondalampatti, Salem - 636 010.

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6.K.Ponnuvel

7.M.Kalaiselvan

8.Palanivel

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus to direct the 1st to 5th Respondent not to supply the product namely petrol, diesel and other Accessories to the IOCL outlet namely Shakthi Agencies situated at Siruvachur Village, Thalaivasal Taluk, Salem District as the 6th to 8th respondent cheated the petitioner by falsification of accounts committing Breach of Trust and fraud based on the petitioner's representation dated 23.04.2022 and consequently to direct the 1st to 5th respondent to appoint an enquiry officer to conduct the enquiry about the malpractice committed by the 6th to 8th respondent as they are doing adulteration, selling substandard products less quantity in supply to the customers in order to curtains the wrongs in the petrol bunk enable to safe guard the goodwill of Sakthivel agencies.

For Petitioner : Mr.R.Venkatavarathan

For Respondents : Mr.Adarsh S. (for R1 to R5)
for Mohd. Fayaz Ali

R6 to R8 - No Appearance

ORDER

The present writ petition has been filed by an individual seeking a wide range of directions to respondent nos. 1 to 5, being officials of Indian Oil Corporation Limited (IOCL), R1 to R5, including one not to supply petrol, diesel and other accessories to IOCL outlet run by Sakthivel agencies, at Siruvachur Village, Thalaivasal Taluk,



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Salem District. (bunk in question).

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2. The petitioner alleges that private respondents R6 – R8 are falsifying the accounts, that they have committed breach of trust and that their activities are to be enquired into by IOCL by appointing an enquiry officer. There is no representation by or on behalf of the private respondents, though counsel has entered appearance on their behalf.

3. In the counter filed, R6 denies that the petitioner is in any way connected to the dealership. R6 has also denied the other averments/allegations in the writ affidavit. In any event, this Court finds it unnecessary to advert to the factual assertions in detail insofar as they are disputed. The official respondents have, in counter, categorically confirmed that the dealership has been awarded only to R6 and the petitioner has no presence in any dealings with the official respondents.

4. In light of the above categoric assertion, the petitioner has not made out any case for intervention of this Court. No mandamus can be issued as sought for by the petitioner, when he is not shown to be connected in any manner in the running of the bunk in question.

5. This writ petition is thus dismissed. No costs. Connected miscellaneous petition is closed.



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6. Concerned with the allegations in regard to malpractices allegedly committed by R6, particularly adulteration and sale of sub-standard products, R1 to R5 are directed to conduct an enquiry into the standard of the products in the bunk in question and file a report within a period of two weeks from today.

08.11.2023

Index:Yes/No
Neutral Citation:Yes
ssm

Note to Registry : Report to be placed before me in Chambers.

To

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DR. ANITA SUMANTH,J.

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