



WEB COPY



W.P.No.20430 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.20430 of 2023

Fishermen corporative oil dealers
Rep. by its partner Monish Raaju.R.S.
Having office at No.75, Fishing Harbour complex
Royapuram, Chennai 600013

... Petitioner

Vs.

1.Executive Director (retail sales)
Indian Oil Corporation Ltd,
No.139, Indian oil Bhavan
Nungambakkam High Road
Chennai 600 034

2.Divisional Manager
Indian Oil Corporation Ltd.,
Chennai Division Office
500, Anna Salai
Teynampet
Chennai 600 018

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, for issuance of a writ of Mandamus, to direct the respondent to consider the representation of the petitioner dated 26.04.2023 by revoking



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the termination order dated 21.03.2022 and revive the retail outlet at 75, Fishing Harbour complex, Royapuram, Chennai 600 013.

For Petitioner : Mr.C.Uashanker
for M.Mariappan

For Respondents : Mr.Md.Fayaz Ali

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner herein is a fishermen corporative oil dealers and the dealership with the respondents has been terminated. The affidavit filed in support of the petition shows that the petitioner was in default in making the rental dues to the tune of Rs.31.59 lakhs as on 21.03.2022. This amount was not promptly paid but still has been entirely paid, contends the petitioner.

3.Be that as it may, the respondent has terminated the dealership and the petitioner has now filed a representation dated 26.04.2023 requiring the respondents to reconsider the decision and to grant a dealership. It is disclosed in the representation that the amount could not be promptly paid as



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the COVID lockdown had hiccuped their business as it has done in almost every segment of economic activity.

3.Mr.Md.Fayaz Ali, the learned counsel takes notice for the respondents and submitted that the payment has been made only after the termination of dealership.

4.The respondents are now required to consider the representation of the petitioner dated 26.04.2023 and also take into account certain reasons that have disclosed in the representation within a period of eight (8) weeks from today.

5.The writ petition stands disposed of accordingly. No costs.

11.07.2023

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Index : Yes / No

Neutral Citation : Yes / No

N.SESHASAYEE, J.

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