



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.1377 of 2023 and
W.M.P.(MD)No.1264 of 2023

U.V.Baby Kousalya,
W/o.C.Jothiraj,
Proprietor of J.M.R.C.Fuel Service,
243, Elavankulam Road,
Kalappalkulam Village,
Sankarankoil – 627 756,
Tirunelveli District.

... Petitioner

Vs.

1. M/s.Indian Oil Corporation Ltd.,
Rep. By the Divisional Retail Head,
Madurai Divisional Office,
No.2, Race Course Road,
Chokkikulam, Madurai,
Madurai District.

2. M/s.State Bank of India,
Rep. By its Branch Manager,
Sankaranayinarkoil,
309, Rajapalayam Road,
RC Church Compound,
Sankarankoil – 627 756,
Tirunelveli District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the Notice Dated 02.01.2023 issued by the 1st respondent and quash the same as illegal.



For Petitioner : Mr.S.Vinoth,
for Mr.M.Gurudas.

For R-1 : Mr.K.Muraleedharan,
Standing Counsel.

For R-2 : Mr.V.P.Rajan

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner is running a petroleum outlet at the petition mentioned premises. The petitioner is having an account with the second respondent through which the transaction between the petitioner and the first respondent is being conducted. The second respondent has now treated the petitioner's account as NPA. The second respondent also wrote to the first respondent in this regard. Based on the same, the first respondent already suspended the sales and supplies to the petitioner's outlet.



3. In my view, the relationship between the petitioner and the second respondent need not have any bearing on the dealership conferred on the petitioner by the first respondent. At the same time, it is for the petitioner to ensure that the payments of the first respondent are made without any impediment. If the petitioner makes effective, satisfactory and alternative banking arrangement, the first respondent shall resume the sales and supplies to the petitioner's unit.

4. Granting such liberty to the petitioner to create an alternative banking arrangement to the satisfaction of the first respondent, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

27.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

Note : Issue order copy on 27.01.2023.



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To:

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G.R.SWAMINATHAN,J.

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