



W.P(MD)No.22431 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.22431 of 2023

R.Murugesan

... Petitioner

Vs

**1.Indian Oil Corporation Limited,
Trichy Divisional Office,
“Triveni” 3rd Floor, B-35, Shastri Road,
Thillai Nagar,
Trichy – 620 018.**

**2.The Chief Divisional Retail Sales Manager,
Trichy Divisional Office,
“Triveni” 3rd Floor, B-35, Shastri Road,
Thillai Nagar,
Trichy – 620 018.**

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus directing the respondents 1 and 2 to consider the representation of the petitioner dated 05.07.2023 to stop supply of Petroleum and other products to Rathinavelu Agency (IOC) comprised in Survey No.221/5, Thevur Village, Kizhavelur Taluk, Nagapattinam and to take steps to dispossess the above mentioned property henceforth by Anand and his men, agents, subordinates, servants, colleagues.



WEB COPY



W.P(MD)No.22431 of 2023

For Petitioner :Mr.R.Aravindraaj
For Respondents :Mr.Mahaboob Athiff for R.1

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner has submitted a representation to the first respondent on 05.07.2023 and filed this writ petition for a mandamus to consider his representation.

3. The learned Standing Counsel appearing for the first respondent Corporation submitted that this is the internal dispute between the petitioner and his brother one Anand. The petitioner submitted a representation and on the representation, no decision can be taken by the respondent corporation.

4. According to the learned Standing Counsel, the Indian Oil Corporation based on the request of Anand has provided the dealership for running the Petrol Bunk in Survey No.221/5, Thevur Village, Kizhavelur Taluk, Nagapattinam. The property originally



W.P(MD)No.22431 of 2023

belongs to the petitioner's father one Rathinavel and he has also executed a settlement deed in favour of Anand, thereafter, it was cancelled by him by filing the application under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and after the cancellation, he has also executed a fresh settlement deed in favour of the petitioner. By referring the settlement deed now executed, the petitioner seeks for transfer of licence in the name of the petitioner. The first respondent is not an authority to decide the ownership.

5. This Court considered the rival submissions made.

6. In view of the submissions made by the learned Standing Counsel appearing for the first respondent, this writ petition is dismissed with liberty to the petitioner to work out his remedy for recovery of possession before the competent civil court by filing civil suit. No costs.

NCC : Yes / No.

Index : Yes / No.

Internet: Yes

am

14.09.2023



WEB COPY



W.P(MD)No.22431 of 2023

B.PUGALENDHI, J.

am

Order made in
W.P(MD)No.22431 of 2023

14.09.2023