



W.P(MD)No.28182 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2023

CORAM

THE HONOURABLE **MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.28182 of 2022

and

W.M.P(MD)No.22257 of 2022

K.Palraj

... Petitioner

Vs.

1.The General Manager (Retail Sales),
Hindustan Petroleum Corporation Limited,
3rd floor, Thalaimuthu Natarajar Building,
Chennai-600 008.

2.The Regional Manager (Retail Sales),
Hindustan Petroleum Corporation Limited,
1st floor, BSNL, C.M.T.S.Bhavan,
70 feet road, Ellis Nagar,
Madurai-625 016.

3.The Sales Officer,
Hindustan Petroleum Corporation Limited,
Thatchanallur,
Tirunelveli.

4.Sunsoori Dealers,
Represented by its proprietor,
T.Dinesh.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 not to renew or extend the license period for the fourth respondent i.e. Sunsoori,



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Hindustan Petroleum Dealer (Licence No.6000/83), situated in Survey No. 264/1 and T.S.No.F Ward, Block-12, Survey No.61/1 of Puliyangudi Village, Kadayanallur Taluk, Tenkasi District for violation of Clause 4(vi)(b) and (c) of the Brochure for selection of dealers for regular and rural retail outlets issued by the oil companies based on joint representation, dated 28.06.2021, 21.03.2022 and 16.10.2022.

For Petitioner : Mr.G.Thalaimutharasu

For R-1 to R-3 : Mr.M.Mahaboob Athiff

For R-4 : Mr.M.P.Senthil

ORDER

Heard the learned Counsel on either side.

2. The petitioner is the owner of the land in question. The fourth respondent is running a fuel retail outlet thereon. The case of the petitioner is that the lease period has since expired and that therefore it is not open to the Corporation to renew or extend the fourth respondent's license.

3. The learned Counsel for the petitioner would contend that the terms set out in the brochure for selection of dealers by the Corporation are clearly attracted in the instant case. I consciously refrain from going into any factual aspect. The petitioner has given the petition mentioned representations. The



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second respondent will consider the petitioner's objections, while considering the application for extension by the fourth respondent. It is needless to add that the fourth respondent shall also be heard by the second respondent. This writ petition stands disposed of accordingly. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

01.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Btr

To

1.The General Manager (Retail Sales),
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3.The Sales Officer,
Hindustan Petroleum Corporation Limited,
Thatchanallur,
Tirunelveli.

4.The proprietor,
Sunsoori Dealers.

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and

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