



W.P(MD)No.28682 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28682 of 2022

P.Elavarasi

... Petitioner

Vs.

The Territory Manager,
Bharat Petroleum Corporation Ltd.,
Retail Wing,
Athur and Kadapparai Village,
Erode Road,
Karur-639 008.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to grant Dealer Ship License in favour of the petitioner based on letter of intent issued by the respondent in KRT.KRR.KAVPT, dated 08.01.2020.

For Petitioner : Mr.R.Murali

For Respondent : Mr.S.Nakesh Raja

ORDER

Heard the learned counsel on either side.



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2. The petitioner belongs to scheduled caste community. She applied for dealership license from the respondent Corporation. She also obtained No Objection Certificate from the jurisdictional DRO. It appears that the landlord originally agreed to lease out the property on long term basis in favour of the Corporation and later, they did not do so.

3. In these circumstances, the petitioner has to execute sublease in favour of the respondent Corporation. The writ petitioner is ready to do so. Since the petitioner is ready to comply with the requirement of the respondent Corporation, the respondent Corporation will have to issue dealership in favour of the petitioner and the petitioner also has to produce a letter from the landlord that she is not willing to execute long term lease directly in favour of the Corporation. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

4. The Writ Petition is allowed on these terms. No costs.

31.01.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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