



WEB COPY



W.P.No.11405 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.11405 of 2022

Arun Pradeep

...Petitioner

-Vs -

1. The Territory Manager (Retail Sales),
Bharat Petroleum Corporation Ltd.,
Ravathur (PO) Irugur (via.)
Coimbatore – 641 103.

2. Gunasekaran

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to dispose of the representation of the petitioner dated 21.02.2022 wherein the petitioner has demanded conferment of dealership of A.G.A. Agency, Bharat Petroleum Dealers, S.F.No.664/2A1, Kovai Main Road, Tiruppur, Tamil Nadu – 638 701, by transferring the same from the second respondent to the petitioner's name subject to rules and regulation of the first respondent in the circumstances of the case.

For Petitioner : Mr.R.Ravi

For Respondents

For R1 : Mr.Gautham Venkatesh

For R2 : Mr.P.V.Selvakumar



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ORDER

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This writ petition has been filed for direction, directing the first respondent to dispose the representation of the petitioner dated 21.02.2022, thereby seeking transfer of license from the name of the second respondent to the petitioner's name.

2. It is seen that the second respondent is the retail license holder of the first respondent. There was a financial transaction between the petitioner and the second respondent's father. It was resulted with civil suit in O.S.No.55 of 2022 on the file of the learned District Munsif Court, Kangeyam. While being so, the petitioner sought for transfer of license in his name and submitted representation before the first respondent. Since the same was not considered, the petitioner filed this present writ petition, with the above prayer.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. While pending the writ petition, the respondent enforced



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holiday scheme on the second respondent dealership and took over the operations of subject retail outlet for a period of two years commencing from 19.11.2022. The two years holiday period will be concluded on 18.11.2024. Further, the parties are advised to resolve the disputes before the date of expiry of holiday period. Therefore, the request made by the petitioner cannot be considered and the writ petition is devoid of merits and liable to be dismissed.

5. Accordingly, the Writ Petition stands dismissed. There shall be no orders as to costs.

03.06.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No

rts

To

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G.K.ILANTHIRAIYAN. J.

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