



WA No.1198 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WA No.1198 of 2023

M.Sivaraman : Appellant

versus

1.C.Balakrishnan

2.The General Manager,
Bharat Petroleum Corporation Ltd.,
Bharat Bhavan, 4 & 6, Currimboy Road,
Ballard Estate, P.B.No.688,
Mumbai 400 001

3.The Territory Manager,
Bharat Petroleum Corporation Ltd.,
Karur Retail Company, Karur

4.The District Collector,
Krishnagiri District

5.The District Revenue Officer,
Krishnagiri District

6.The Tahsildar,
Krishnagiri District

7.The District Registrar (Administration)
Registration Department,
Krishnagiri District

: Respondents



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Prayer: Writ appeal filed under Clause 15 of the Letters Patent against the order of the learned Single Judge in WMP Nos.10263, 10264/2017 in WP No.9293/2017 dated 05.06.2023.

For Appellant : Ms.S.Benazir
For Respondent No.1 : Mr.K.Balu
For Respondents 2 and 3 : Mr.M.Vijayan,
for M/s.King & Patridge
For Respondents 4 to 7 : Mr.A.Edwin Prabakar,
State Government Pleader,
Assisted by Mr.K.Karthik Jagannath,
Government Advocate

JUDGMENT

(Made by the Hon'ble Chief Justice)

We have heard Ms.S.Benazir, learned counsel for the appellant, Mr.K.Balu, learned counsel appearing for the first respondent, Mr.M.Vijayan, learned counsel appearing for respondents 2 and 3, Mr.A.Edwin Prabhakar, learned State Government Pleader, appearing for respondents 4 to 7.

2. The present appeal is filed against the interim order passed by the learned Single Judge in WP No.9293/2017, dated 05.06.2023 .



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3. The present appellant is awarded with a dealership by the Bharat Petroleum Corporation Ltd. (BPCL). The original writ petitioner was one of the candidates seeking dealership.

4. It has been observed by learned Single Judge that the document in respect of the property, pursuant to which the present appellant is claiming, is a fraudulent document; so also Arunachalam, who had executed the document, had no title. Now BPCL has got executed the document from the said Arunachalam. Learned Single Judge observed that BPCL is taking a dual stand.

5. Learned counsel for the original writ petitioner submits that the document executed in favour of BPCL by Arunachalam is a fraudulent one.

6. The writ petition is still pending. Order of the learned Single Judge was stayed by this Court on 15.06.2023. The present appellant is running the business today, pursuant to the interim order. It would be appropriate to get the writ petition itself decided.



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now.

7. It is submitted that no date is given in the writ petition as of

8. The writ petition be listed before the learned Single Judge on 26.02.2024. Learned Single Judge may take up the matter as per his convenience. Interim order passed in this appeal shall continue till the disposal of the writ petition.

9. The writ appeal stands disposed of. There shall be no order as to costs. CMP No.12207/2023 is ordered accordingly.

(S.V.G., CJ.)

(D.B.C., J.)

13.02.2024

Index : Yes/No
Neutral Citation : Yes/No
tar



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To

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