



WEB COPY



W.P.No.27762 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27762 of 2024

N.Santhakumar

... Petitioner

Vs.

M/s.Bharat Petroleum Corporation Limited,
Rep.by the Territory Manager (Retail),
Irugur TOP Installation,
Athappagounderputur, Ravathur (PO),
Irugur (Via),
Coimbatore District-641 103.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent to refund the (i) excess License Fee recovered, (ii) wrongful debits made and (iii) pay the rental arrears and storage charges due to the petitioner's Firm upto 31.07.2024 amounting to a total of Rs.9,34,04,374/- (Rupees Nine Crore Thirty Four Lakhs Four Thousand Three Hundred and Seventy Four only) as detailed in the petitioner's representation with annexures dated 06.08.2024 together with reasonable interest thereafter.



W.P.No.27762 of 2024

For Petitioner : Mr.V.B.R.Menon

For Respondents : Mr.Mohammed Fayaz Ali

ORDER

This Writ Petition has been filed to direct the respondent to refund the excess License Fee recovered and wrongful debits made and pay the rental arrears and storage charges due to the petitioner's Firm upto 31.07.2024 amounting to a sum of Rs.9,34,04,374/- (Rupees Nine Crore Thirty Four Lakhs Four Thousand Three Hundred and Seventy Four only) as detailed in the petitioner's representation with annexures dated 06.08.2024 together with reasonable interest.

2. The case of the petitioner is that the petitioner made a representation on 06.08.2024 with annexures before the respondent to refund the excess License Fee recovered and wrongful debits made and pay the rental arrears and storage charges due to the petitioner's Firm upto 31.07.2024 which would come to a sum of Rs.9,34,04,374/- (Rupees Nine Crore Thirty Four Lakhs Four Thousand Three Hundred and Seventy Four



W.P.No.27762 of 2024

only) together with reasonable interest, however, the same has not been considered so far. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the respondent is directed to dispose of the representation of the petitioner, dated 06.08.2024 on merits and in accordance with law, within a specified period.

4. The learned counsel appearing for the respondent has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the respondents to consider the representation of the petitioner, dated 06.08.2024 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.



W.P.No.27762 of 2024

6. With the above direction, this Writ Petition is disposed of. No costs.

19.09.2024

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb

To
M/s.Bharat Petroleum Corporation Limited,
Rep.by the Territory Manager (Retail),
Irugur TOP Installation,
Athappagounderpudur, Ravathur (PO),
Irugur (Via),
Coimbatore District-641 103.



WEB COPY



W.P.No.27762 of 2024

M.DHANDAPANI, J.

ssb

W.P.No.27762 of 2024

19.09.2024