



**W.A.(MD) Nos.2048 to 2050 of 2024**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 18.10.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN  
and  
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD)Nos.2048 to 2050 of 2024  
and  
C.M.P.(MD) Nos.14696, 14701 and 14704 of 2024**

**W.A.(MD)No.2048 of 2024:-**

M/s.Sri Ramajayam Agencies (Ad hoc),  
Dealer, Hindustan Petroleum Corporation Ltd.,  
Trichy Region, Operated by Land Owner,  
Mr.T.Venkatesan S/o. Late. Thirusangu Vanniyar,  
No.17/28, Mukasa Kalyanampuram,  
Thiruvaiyar,  
Thanjavur District – 614 204.

Then:-

M/s.M.Syed Mohamed (Ad hoc),  
Dealer, Hindustan Petroleum Corporation Ltd.,  
Trichy Region, Operated by Land Owner,  
Mr.Thirusangu Vanniar, S/o. Thangaiya Vanniyar  
No.17/28, Mukasa Kalyanapuram,  
Thiruvaiyaru,  
Thanjavur District.

... Appellant

(Cause title accepted vide order dated 21.08.2024, made in  
C.M.P.(MD)No.11106 of 2024 in W.A.(MD)SR.No.  
31371 of 2024)



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**W.A.(MD) Nos.2048 to 2050 of 2024**

-VS-

The Senior Regional Manager,  
Hindustan Petroleum Corporation Ltd.,  
Trichy Retail Regional Office,  
No.90, II Floor, MSDR Enclave,  
Bharathidasan Road,  
Cantonment,  
Trichy - 620 001.

... Respondent

Writ Appeal filed under Clause 15 of Letters Patent to allow this Writ Appeal by setting aside the order, dated 06.07.2023, passed in W.P.(MD)No. 15610 of 2014.

For Appellant : Mr.K.Ragatheesh Kumar  
for M/s.Isaac Chambers

For Respondent : Mr.M.Sridher

**W.A.(MD)No.2049 of 2024:-**

M/s.Kannivannan (Ad hoc),  
Dealer, Hindustan Petroleum Corporation Ltd.,  
Trichy Region, Operated by Land Owner,  
V.Gandhimathi,  
Rep. by Power Agent, Mr.V.Omalingam,  
S/o.Vaithilingam,  
9, Bharathiyar Road, Varichikudy,  
Kottucheri, Karaikkal,  
Pondicherry Union Territory.

... Appellant



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**W.A.(MD) Nos.2048 to 2050 of 2024**

-VS-

The Senior Regional Manager,  
Hindustan Petroleum Corporation Ltd.,  
Trichy Retail Regional Office,  
III Floor, Rakesh Towers,  
90, II Floor, MDSR Enclave,  
Bharathidasan Road,  
Cantonment,  
Trichy - 620 001.

... Respondent

Writ Appeal filed under Clause 15 of Letters Patent to allow this Writ Appeal by setting aside the order, dated 06.07.2023, passed in W.P.(MD)No. 15606 of 2014.

For Appellant : Mr.K.Ragatheesh Kumar  
for M/s.Isaac Chambers

For Respondent : Mr.M.Sridher

**W.A.(MD)No.2050 of 2024:-**

M/s.Sri Gopi Karthikeyan Agency (Ad hoc),  
Dealer, Hindustan Petroleum Corporation Ltd.,  
Madurai Region, Operated by Land Owner,  
Mr.S.Sivanandi, S/o.Subbaiya Thevar,  
No.8-C, Samaya Street,  
Cumbum,  
Theni District.

... Appellant



WEB COPY

**W.A.(MD) Nos.2048 to 2050 of 2024**

-VS-

The Senior Regional Manager,  
Hindustan Petroleum Corporation Ltd.,  
Madurai Retail Regional Office,  
No.7, III Floor, Rakesh Towers,  
Byepass Road,  
Madurai – 625 010.

... Respondent

Writ Appeal filed under Clause 15 of Letters Patent to allow this Writ Appeal by setting aside the order, dated 06.07.2023, passed in W.P.(MD)No. 15609 of 2014.

For Appellant : Mr.K.Ragatheesh Kumar  
for M/s.Isaac Chambers

For Respondent : Mr.M.Sridher

### **COMMON JUDGMENT**

**[Judgment of the Court was made by R.SUBRAMANIAN, J.]**

The issue relates to conduct of Petroleum Retail Outlet by the landowner. The dealership was terminated. The said termination was challenged before the Writ Court and the challenge failed.



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2. In other matters, arising out of the very same common order, this Court while disposing of **W.A.(MD)Nos.1546 to 1556 of 2023 [M/s.Gothandapani Agencies (Ad hoc) vs. The Senior Regional Manager (2023/MHC4304)]**, on **14.09.2023**, has recorded the statement made in the affidavit of undertaking filed by the appellants therein before the learned Single Judge, which reads as follows:-

*"4.I submit that no new steps have been taken for allotment of the retail outlet dealership in favour of any other person. As and when the Government of India, Ministry of Petroleum and Natural Gas Commission and the respondents herein come out with a new policy for grant of dealership in respect of the existing retail outlets and on appointment of a new dealer for the Retail Outlet on the basis of such appointment in respect of the Retail Outlet at Avanam Kaikatti, Pudukottai District, I undertake to vacate and hand over the retail outlet to the Respondent herein within a period of four weeks from the date of such appointment of retail outlet dealership."*

and has passed the following order:-

*"1.The order of the learned Single Judge in all the Writ petitions are set aside.*



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*2.The respondent is directed to permit the appellants to operate the retail outlets run by them on the basis of the temporary license given to them till such time the respondent appoint regular dealers under any scheme and till such time the regular dealers commence their business.*

*3.Till issuance of letter of intent and till such time the regular dealers were appointed by the respondent, pursuant to the communication that will be issued by the respondent in each of the case, the appellants may be permitted to run the retail outlets on the basis of the temporary license.*

*4.Once the regular dealer is appointed on the communication issued by the respondent, the appellants shall vacate the premises within a period of four weeks from the date of such communication.*

*5.The appellants are also directed to give fresh affidavit of undertaking before the respondents, as it was given earlier before the learned Single Judge at the interlocutory stage within a period of two weeks from the date of receipt of a copy of this judgment."*



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3. In view of the above, these Writ Appeals are also allowed with the above directions. No costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : No  
Index : No  
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[R.S.M., J.] [L.V.G., J.]  
18.10.2024



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**W.A.(MD) Nos.2048 to 2050 of 2024**

**R.SUBRAMANIAN, J.**  
**and**  
**L.VICTORIA GOWRI, J.**

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Common Judgment in  
**W.A.(MD) Nos.2048 to 2050 of 2024**  
**and**  
**C.M.P.(MD) Nos.14696, 14701 and 14704 of 2024**

**18.10.2024**