



1

W.P.(MD)NO.14458 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14458 of 2024 AND

W.M.P.(MD)Nos.12691 & 12694 of 2024

M/s.Mugavai Indane Gas Agency,
Rep. by its Proprietor,
K.Gurumoorthi Kamaraj,
No.30/1, Moolakothalam Bungala Street,
Ramanathapuram District.

... Petitioner

Vs.

The General Manager(LPG-s),
Indian Oil Corporation Ltd,
Indana Area Office, No.2, Race Course Road,
Chokkikulam, Madurai,
Madurai District.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, callings for the records relating to the impugned order passed by the respondent vide impugned proceedings in MAO/2020 dated 26.04.2021 and quash the same as illegal and consequently direct the respondent to consider the petitioner's application for shifting of warehouse and showroom on merits and in accordance with law within the stipulated period fixed by this Court.

For Petitioner : MrC.Venkatesh Kumar,
for M/s.Ajmal Associates.

For Respondent : Mr.K.Muraleedharan,
Standing counsel.



WEB COPY



ORDER

Heard both sides.

2. The impugned order reads thus:-

“Kindly refer your letter dt. 02.12.2020 & 30.03.2021 on the subject.

With regard to your present Godown and Showroom, as we received complaints dt. 05.10.2020 from Shri.G.Praveen Kumar, Shri.M.Muniyandi & Smt.G.Subbulakshmi, a two member committee was constituted for investigation. As many deviations had been pointed out by the Committee in their investigation report, we had sought explanation from you vide our letter dt. 04.12.2020. In your explanation letter dt.12.12.2020, you had also admitted the deviations in the present Godown and Showroom.

Since we are in the process of taking further action for the irregularities committed by you, we are not in a position to approve for relocation of Godown and Showroom.”

This order was passed way back on 26.04.2021. The question of mounting challenge to an order passed more than three years ago will not arise at all. The writ petition is hit by laches.



3. The dismissal of this writ petition will not come in the way of the petitioner from submitting a fresh request to the respondent. If any such request is submitted afresh, it will be considered by the respondent on its own merits. With the aforesaid direction, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

03.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

The General Manager(LPG-s),
Indian Oil Corporation Ltd,
Indana Area Office, No.2, Race Course Road,
Chokkikulam, Madurai,
Madurai District.



WEB COPY



4

W.P.(MD)NO.14458 OF 2024

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.14458 of 2024

03.07.2024