



W.P.(MD)No.7730 of 2018

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.11.2024**

CORAM:

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

W.P.(MD)No. 7730 of 2018

and

W.M.P.(MD)Nos.7345 and 7346 of 2018

M.Hyder Ali

... Petitioner

/Vs./

1.Union of India,
Represented by Secretary to Government,
Ministry of Petroleum & Natural Gas,
Shastri Bhavan,
New Delhi – 110 001

2.Indian Oil Corporation Ltd.,
Represented by its Chairman,
3079/3, J.B.Titto Marg,
Sadiq Nagar, New Delhi – 110 049

3.The Deputy General Manager,
Indian Oil Corporation,
Divisional Office,
Coimbatore.

4.The Sales Assistant Manager,
Indian Oil Corporation,
Dindigul, Dindigul District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to call for records pertaining to impugned demand SMS/Whatsapp messages received on 04.04.2018 & 07.04.2018 wherein and whereby the petitioner is demanded to furnish income tax returns and bank statements by the respondent Oil Company and to quash the same and further direct the respondents Oil Company to supply Petroleum products as required without demanding the income tax returns of the petitioner.

For Petitioner : Mr.T.S.Mohamed Mohideen
For R2 to R4 : Mr.K.Muralidharan
For R1 : Mr.S.Ragaventhree

ORDER

This Writ Petition has been filed for issuance of writ of certiorarified mandamus to quash the impugned demand issued through SMS/Whatsapp messages on 04.04.2018 & 07.04.2018 wherein and whereby the petitioner is demanded to furnish income tax returns and bank statements by the respondent Oil Company and for consequential direction to the respondents Oil Company to supply Petroleum products as required without demanding the income tax returns of the petitioner.



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2. The impugned demand in this Writ Petition was issued on the basis of the circular issued by the second respondent. The said circular has been quashed by the Hon'ble Division Bench of the Keral High Court in W.A.No.2112 of 2018 dated 04.09.2019.

3. In view of the above, the impugned demand issued by the respondent Oil Company has no legal sanctity and the same is liable to be quashed. Accordingly, the same is quashed.

4. In fine, this Writ Petition is allowed. No costs. Consequently, the connected miscellaneous petitions are closed.

08.11.2024

Index : Yes / No
NCC : Yes / No
CM



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TO:

The Secretary to Government,
Union of India,
Ministry of Petroleum & Natural Gas,
Shastri Bhavan,
New Delhi – 110 001



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G.K.ILANTHIRAIYAN, J.

CM

Order made in
W.P.(MD)No. 7730 of 2018
and
W.M.P.(MD)Nos.7345 and 7346 of 2019

Dated:
08.11.2024