



W.P(MD)No.20376 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.20376 of 2024

and

W.M.P.(MD)Nos.17293 & 17295 of 2024

Indrani

... Petitioner

Vs.

- 1.The Indian Oil Corporation Ltd.,
Rep. by its Chairman,
Corporate Office, No.3079/3, JB Tito Mara,
Sadia Nagar, New Delhi-110 049.
- 2.The General Manager (LPG-S),
Indian Oil Corporation Ltd.,
Indian Oil Bhavan, G9, Ali Yavar Jung Marg,
Bandara (E), Mumbai-51.
- 3.The General Manager,
I/c. (LPG /TNSO), Indian Oil Corporation Ltd.,
Marketing Division, Southern Region,
“Indian Oil Bhavan”,
No.139, Uthamar Gandhi Salai,
(Nungambakkam High Road),
Chennai-600 034.
- 4.The General Manager,
Indane Area Office,
Indian Oil Corporation Ltd.,
No.2, Race Course Road,
Chokkikulam, Madurai-2.
- 5.Rayappan



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6.Gafoor Indane,
Vasudevanallur,
Sivagiri Taluk, Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari Mandamus, to call for the records pertaining to the impugned proceedings in Ref.TNSO/LPG/MDU/23-24/SUSP/AKIGV, dated 24.08.2023 and consequential proceedings in Ref.TNSO/LPG/MDU/SUSP/AKIGV/3, dated 24.05.2024 issued by the 3rd respondent and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently, to direct the respondents to cancel the consequential permission granted by the respondents 1 to 3 to the 6th respondent.

For Petitioner : Mr.P.Krishnasamy
For R1 to R4 : Mr.K.Muralidharan,
Standing Counsel

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.Mr.K.Muralidharan, learned Standing Counsel takes notice for the respondents 1 to 4. Considering the nature of order proposed to be passed in this Writ Petition, notice to the respondents 5 and 6 is dispensed with.



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3. According to the petitioner, she and her husband are running a gas company in the name and style of 'M/s.Amirtham Kaushik Indane Gramin Vitrak from the year 2013 onwards in the property belonged to the 5th respondent on lease basis. The period of lease is 15 years ie., from 19.12.2012 to 18.12.2027. Due to an accident, the husband of the petitioner died in the year 2023. In the meantime, the 3rd respondent issued suspension letter dated 24.08.2023, suspending the distributor licence for the period of three months ie., from 25.08.2023 to 24.11.2023. Therefore, the petitioner sent a reply dated 08.11.2023 to the 3rd respondent. However, without considering the same, the 3rd respondent had extended the suspension period for further six months from 25.11.2023 to 24.05.2024 and thereafter, vide letter dated 24.05.2024, extended the suspension period from 25.05.2024 to 24.11.2024. Challenging the said suspension orders, the petitioner has filed this Writ Petition.

4. The learned Standing Counsel appearing for the respondents 1 to 4 would submit that the case of the petitioner would be considered positively, if it is otherwise in order and necessary order for restoration of licence would be passed within the stipulated time to be fixed by this Court.



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5.The statement made by the learned Standing Counsel is recorded.

6.In such view of the matter, I direct the 3rd respondent to consider the case of the petitioner and pass appropriate orders on its own merits and in accordance with law. It is made clear that the impugned orders shall not be an impediment for the 3rd respondent to consider the case of the petitioner and restore the licence. Such exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

28.08.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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