



WEB COPY

WP No. 19343 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-05-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

WP No. 19343 of 2025

AND

WMP NO. 21594 OF 2025

P.P.Enterprises

Rep. By Its Partner

Petitioner

Vs

1. The Joint Controller Of Explosives,
A And D Wing, Block 1- 8, 2nd Floor,
Shastri Bhavan, No.26 Haddows Road,
Nungambakkam, Chennai 600006.

2.M/s. Reliance BP Mobility Ltd.,
Rep. By Its State Head - Tamil Nadu,
6th Floor No.89, Dr.Radhakrishnan
Salai, Mylapore, Chennai 600004.

Respondents

PRAYER:- Writ Petition filed under Art.226 of Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to consider and pass and pass order on the Representation of the Petitioner dated 25/04/2025 on merits within a stipulated period of time.



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For Petitioner: Mr.K.Selvaraj

For Respondents: Mr.K.K.Muralitharan,
(SCGC) for R1

ORDER

This Writ Petition has been filed seeking to directing the 1st respondent to consider and pass orders on the representation of the petitioner dated 25.04.2025 on merit within a stipulated period.

2. The grievance of the petitioner is that he had entered into a dealership agreement dated 29.04.2005 with the 2nd respondent to operate a Petroleum and Auto LPG Retail Outlet admeasuring 1153 sq.m. comprised in Resurvey No. 420/5A, 420/5B and 420/5C1 situated at Veerappan Chatram Village, Erode District in order to open a petrol bunk for a period of 20 years commencing from 29.04.2005 and expiring on 28.04.2025. The 1st respondent had issued a license to store petroleum in the demised land of petitioner firm and to run petrol bunk to the 2nd respondent on 18.07.2005. While being to, the 2nd respondent by letter dated 05.02.2025 intimated the petitioner firm of their proposal to continue the dealership and to reappoint the petitioner firm as its dealer. But the petitioner expressed its unwillingness to continue the lease and agreed for the termination of agreement as on 28.04.2025, for which the 2nd respondent through its communication dated 20.03.2025 had reiterated their desire to renew the lease agreement and insisted on the same. Since the



petitioner required the property for personal use and occupation of petitioner, they terminated the lease agreement. Accordingly, the petitioner firm had sent a detailed representation dated 25.04.2025 to the 1st respondent requesting to cancel the petroleum license dated 18.07.2005, which was acknowledged by them, but so far they have not considered his request nor passed any order. Furthermore, as per Rule 152(1)(i) of the Petroleum Rules, 2002, every licence granted under the Rule shall stand cancelled, if the licensee ceases to have any right to the site for storing petroluem. Hence, once the lease period is expired, the licensee has no right to to site and license has to be cancelled. Therefore, he has filed this Writ Petition seeking to issue a direction to the 1st respondent to consider his representation.

3. I have considered the submissions of learned counsel for petitioner and also perused the records carefully.

4. Considering the limited prayer sought in the Writ Petition, without going into the merits of the case, the 1st respondent is directed to consider the petitioner's representation dated 25.04.2025 and pass orders on merit after giving opportunity to the 2nd respondent within a period of eight weeks from the date of receipt of copy of this order. Accordingly, this Writ Petition is disposed of. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

28-05-2025



Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

rpp/mjs

To

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Shastri Bhavan, No.26 Haddows Road,
Nungambakkam, Chennai 600006.

2. State Head - Tamil Nadu,
M/s. Reliance BP Mobility Ltd.,
6th Floor No.89, Dr.Radhakrishnan
Salai, Mylapore, Chennai 600004.

3. The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI J.

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