



W.P.No.22848 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.22848 of 2025

And

W.M.P.Nos.25666, 25668 and 30627 of 2025

RELIANCE BP MOBILITY LIMITED

REGD. OFFICE:

MAKER CHAMBERS IV, THIRD FLOOR,
NO.222, NARIMAN POINT, MUMBAI – 400 021

STATE OFFICE:

VI FLOOR, A1 TOWER,
NO.89/91, DR.RADHAKRISHNAN SALAI,
MYLAPORE, CHENNAI 600 004,

REPRESENTED BY ITS

STATE HEAD – TAMIL NADU

... Petitioner

Vs.

1 THE ADDITIONAL DISTRICT MAGISTRATE/
DISTRICT REVENUE OFFICER,
DISTRICT COLLECTORATE,
TIRUPPUR – 641 604.

2 THE JOINT CHIEF CONTROLLER OF EXPLOSIVES
PETROLEUM AND EXPLOSIVES SAFETY ORGANISATION (PESO)
SOUTH CIRCLE, CHENNAI, A&D WING,
BLOCK 1-8, II FLOOR,
SHASTRI BHAVAN,
NO.26, HADDOWS ROAD,
NUNGAMBAKKAM,
CHENNAI – 600 006.

3 MR.K.RAMASAMY

... Respondents



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Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to the order dated 15.05.2025 in D.Dis.4382/2025/C2 passed by the first respondent and the consequential order dated 20.05.2025 in No:P/SC/TN/14/4324 (P148488) passed by the second respondent and quash the same as illegal, arbitrary and violation of principles of natural justice.

For Petitioner : Mr.M.S.Krishnan
Senior Counsel
for M/s.M.Kumaresan

For Respondents : Mrs.S.Anitha for R1
Special Government Pleader
M/s.Poonam Chopra for R2
CGC
Mr.V.B.R.Menon for R3

ORDER

This writ petition has been filed seeking issuance of Writ of Certiorari calling for the records pertaining to the order dated 15.05.2025 in D.Dis.4382/2025/C2 passed by the first respondent and the consequential order dated 20.05.2025 in No:P/SC/TN/14/4324 (P148488) passed by the second respondent and quash the same as illegal, arbitrary and violation of principles of natural justice.



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2.The learned Senior Counsel appearing for the petitioner submitted that the petitioner is a public limited company incorporated under the provisions of Companies Act, 2013. The petitioner is a joint venture entity between Reliance Industries Limited having 51% stake and BP Global Investments Limited having 49% stake. Reliance Industries Limited [hereinafter referred to as 'RIL'] entered into a lease deed dated 18.02.2005 with the third respondent for running a retail outlet located in land bearing SF.No.23B/2A1, situated in Muthanampalayam Village, Tiruppur Taluk, Coimbatore District measuring 2104 sq.m. and pursuant to the lease deed, RIL executed a dealership agreement dated 18.02.2005 with the third respondent to operate a petroleum retail outlet. The said lease deed is registered as document no.1314 of 2005 on the file of the Joint Sub Registrar – 1, Tiruppur, which was executed for a term of 20 years commencing from 18.02.2005 and the same expired on 17.02.2025.

3.The learned Senior Counsel appearing for the petitioner further submitted that the petitioner sent letters dated 23.12.2024 and 23.01.2025 to the third respondent seeking execution of fresh dealership agreement, however, vide letter dated 28.01.2025, the



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third respondent expressed his unwillingness to continue dealership business with the petitioner company and hence, the petitioner filed a suit for specific performance seeking enforcement of its right to renewal under Clause 3(viii) of the Lease deed dated 18.02.2005 in O.S.No.22 of 2025 on the file of the Additional District Munsif Court, Tiruppur. RIL obtained the requisite NOC from the first respondent on 19.06.2005 and subsequently on 29.08.2005, RIL obtained PESO licence in Form XIV of Petroleum Rules, 2002 issued by the second respondent vide order of the second respondent dated 12.05.2020 and the said PESO licence was transferred in the name of petitioner and on 24.11.2021, petitioner got PESO licence renewed and extended till 31.12.2031.

4.The learned Senior Counsel appearing for the petitioner further submitted that the third respondent filed W.P.No.9184 of 2025 for mandamus to cancel the PESO licence and the NOC for operating a petroleum retail outlet and this Court without giving any opportunity to the petitioner disposed of the said writ petition on 17.03.2025, pursuant to which, the impugned order was passed. However, the complaint and other materials were not furnished to the petitioner, which is clear violation of principles of natural justice.



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5.The learned Senior Counsel appearing for the petitioner further submitted that as against the impugned order there is effective appeal remedy available to the petitioner in terms of Sections 154 (1) and 154 (2) of the Petroleum Rules, 2002. Hence, this Court, without going into the merits of the case, may grant liberty to the petitioner to exhaust the appeal remedy and prayed that the period during which the writ petition was pending before this Court may be excluded for the purpose of limitation.

6.The learned counsel appearing for the third respondent submitted that there was a lease agreement between the petitioner and the third respondent from 18.02.2005 and the same expired on 17.02.2025 and after 17.02.2025, the petitioner is not entitled to enjoy the petroleum retail outlet and the third respondent also expressed his unwillingness to continue dealership business with the petitioner company, however, the petitioner got PESO licence renewed and extended till 31.12.2031, thereby, the third respondent filed W.P.No.9184 of 2025 for mandamus to cancel the PESO licence and the NOC for operating a petroleum retail outlet and pursuant to the order passed by this Court dated 17.03.2025 in the said writ petition,



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the impugned order was passed. The learned counsel further submitted that as against the impugned order there is effective appeal remedy available to the petitioner in terms of Sections 154 (1) and 154 (2) of the Petroleum Rules, 2002 and without exhausting the appeal remedy, the petitioner has filed this writ petition, which is not sustainable one and the writ petition is liable to be dismissed in limine.

7.Heard the arguments advanced on either side and perused the materials available on record.

8.This Court is not inclined to render any opinion on the merits of the case since rendering any opinion on the merits of the case will adversely affect the interest of the parties.

9.Considering the limited request now made by the learned Senior Counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, grants liberty to the petitioner to approach the appellate authority as against the impugned order. The period during which the writ petition was pending before this Court is excluded for the purpose of limitation.



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No costs. Consequently, connected miscellaneous petitions are closed.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

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