



W.P.(MD) No. 19904 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No. 19904 of 2025
and
W.M.P.(MD) Nos.15329 & 15330 of 2025**

P.Kathavarayan

... Petitioner

Vs

1. The Divisional Manager,
Nayara Energy Limited,
Sreerosh Madhav,
Old 73/2 New No.58/2,
2nd Floor,
New Avadi Road,
Kilpauk, Chennai - 600 010.

2. The Manager,
Nayara Energy Limited,
Khambhalia,
Post Box No. 24,
Dist.Devbhumi Dwarka,
Gujarat - 361305.

3. The Secretary,
Ministry of Petroleum and Natural Gas,



W.P.(MD) No. 19904 of 2025

WEB COPY

A-Wing, Room No. 206A,
Shastri Rajendra Prasad Road-110 001,
Azad Guy Bhawan Road,
IP Estate,
New Delhi.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records relating to the impugned order, dated 28.12.2021 *vide* Letter of the first respondent in its Intent (LOI) - Franchised for setting up Retail Outlet at Intent for Retail Outlet Franchise at NH 83 Sy.No. Y No.6/2A, 6/5A, Old S.F.No. 235/1N, 235/2, K.Sathanur Village, Srirangam Taluk, Trichy District, Tamilnadu - 620 021 - TN171221467348-5545 in the petitioner's land on 28.12.2021 received by petitioner and quash the same.

For petitioner : Mr. R.Rajagopal

ORDER

This Writ Petition is disposed of at the time of admission with the consent of the learned counsel for the petitioner and after dispensing with the notice on the respondents as no adverse orders are proposed to be passed.

2. The petitioner has filed this Writ Petition to quash the impugned order of the first respondent Nayara Energy Limited dated 28.12.2021, whereby the



W.P.(MD) No. 19904 of 2025

WEB COPY

petitioner's request for setting up the retail out let on franchisee basis at NH 83 Sy.No. Y No.6/2A, 6/5A, Old S.F.No. 235/1N, 235/2, K.Sathanur Village, Srirangam Taluk, Trichy District, Tamilnadu - 620 021 has been granted.

3. The case of the petitioner is that the Letter of Intent is valid for a period of 90 days from the date of issue and thereafter, subject to the extension after reviewed by the first respondent/company.

4. The petitioner has filed this Writ Petition by impleading the third respondent, as the respondents 1 and 2 have been licenced by the third respondent to carry out the business in petrol products. As such there is no merit in the present Writ Petition, as the petitioner has mandate arrangements with the respondents 1 and 2.

5. Under the Letter of Intent, dated 28.12.2021, issued by the first respondent, there is private contract between the petitioner and the first respondent. It also contemplates the resolution of dispute with the respondents 1 and 2 under the provisions of Arbitration and Conciliation Act, 1994 and only the



W.P.(MD) No. 19904 of 2025

WEB COPY

Courts in Mumbai alone have jurisdiction to entertain the application or other proceedings in respect of any issues arising out of the said letter of Intent. Clause 6 of the impugned Letter of Intent, dated 28.12.2021 reads as under:

6. All disputes and/or claims arising out of or relating to this arrangement or any breach or alleged breach of any of the covenants thereof as to the interpretation of any clause/provision of this arrangement shall be referred to a Sole Arbitrator to be appointed by the Company and the proceedings shall be governed by the provisions of the Arbitration and Conciliation Act, 1996 or any statutory modification or re-enactment thereof from time to time in force. The seat of such arbitration proceedings shall be at Mumbai and the language of the proceedings shall be in English.

The courts in the city of Mumbai alone shall have jurisdiction to entertain any application or other proceedings in respect of any issues arising out of this Letter of Intent.

6. Hence, this Writ Petition is without any merits. The petitioner has attempted to bring this Writ Petition within the jurisdiction of this Court by impleading the third respondent, even though the petitioner has no cause of action against the third respondent in this Writ Petition. Therefore, this Writ Petition is liable to be dismissed.

7. Accordingly this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No

23.07.2025

Internet : Yes / No

apd

4/5



WEB COPY



W.P.(MD) No. 19904 of 2025

C.SARAVANAN, J.

apd

W.P.(MD) No. 19904 of 2025

23.07.2025