



WEB COPY



CMP No.4283 of 2026 in WA No.151 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2026

CORAM

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

C.M.P.No.4283 of 2026
in W.A.No.151 of 2026

The Divisional Retail Sales Head
Indian Oil Corporation Ltd,
Chennai Division Office,
Marketing Division,
No.500, Anna Salai, Teynampet,
Chennai - 600 018.

Petitioner

Vs

M.Kumaresan
S/o.Munisamy,
No.32, 7th Main Road,
Gandhi Nagar, Vellore - 632 006.

Respondent

For Petitioner: Mr.AR.L.Sundaresan
Addl. Solicitor General of India
assisted by Mr.R.Sreedhar

For Respondent: Mr.V.B.R.Menon
(through Video Conferencing)



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ORDER

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(Order of the Court was made by the Hon'ble Chief Justice)

Heard.

2. This application was taken up for consideration on mention being made.

3. Learned Additional Solicitor General of India would submit that the order dated 21.1.2026, by which the writ appeal was finally disposed of, gives an impression as if it was a consent order, whereas, it is not a case of consent. He would submit that whatever stated by the counsel was based on certain instructions which were not clear.

He would further submit that after the copy of the judgment was obtained, it was found that the order, as stated in paragraph 2, indicates as if it is a case of consent.

4. The order came to be passed by us only granting liberty to continue because this Court, on merits, was not inclined to interfere. The order of the learned Single Judge clearly stated the admitted facts that in spite of cancellation of the final explosives licence by the



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Controller of Explosives and no objection certificate by the DRO, Vellore, the appellant continues to keep its belongings, such as pumps, tanks, pipelines, etc. in the premises. As the appellant was not vacating the premises, the writ petitioner, who is the owner of the land, approached the Court. It is also admitted fact on record that the property in question belongs to the writ petitioner and he was appointed as a dealer of the appellant Corporation. The lease came to an end on 13.1.2024. Despite that, the belongings, such as pump sets, tanks, pipelines etc., were not removed by the appellant Corporation. The appellant Corporation has unauthorisedly continued to retain the possession without removing the belongings, such as pump sets, tanks, pipelines etc. This is not only causing great hardship to the writ petitioner, but an illegality is perpetuated by the appellant Corporation.

5. Taking into consideration these aspects when this Court was not inclined to interfere with the order, as a mercy prayer, time was sought to vacate the premises, which was granted by the Court.

6. It appears that after this order was passed, the authorities of the appellant are trying to take undue advantage. The order passed



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by this Court earlier to the extent it grants three months' time to vacate the premises stands withdrawn. The appellant Corporation is directed to forthwith remove all the belongings and handover vacant possession to the writ petitioner.

7. The application is, accordingly, disposed of.

(MANINDRA MOHAN SHRIVASTAVA,CJ) (G.ARUL MURUGAN,J)
27.02.2026

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