THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
WEDNESDAY, THE 31ST DAY OF MAY 2023 / 10TH JYAISHTA, 1945
WP(C) NO. 29046 OF 2021

PETITIONER:

VASANTH KUMAR O.S, AGED 46 YEARS S/O. OLLAKKATT SREEDHARAN, KRISHNATHILAKAM, OLD BAZAR, KOLLENGODE P.O, PALAKKAD-678 506

BY ADVS.
NIRMAL.S
IRENE ELZA SOJI
RIA ELIZABETH JOSEPH
K. REMIYA RAMACHANDRAN
VEENA HARI

- 1 KERALA CO-ORDINATION COMMITTEE OF OIL MARKETING COMPANIES,
 REP. BY ITS CO-ORDINATION COMMITTE OF OIL MARKETING COMPANIES REP. BY ITS CO-ORDINATION CONVENOR (REGIONAL MANAGER INDIAN OIL CORPORATION, KOCHI TERMINAL), KOCHI TERMINAL SEAPORT -AIRPORT ROAD, IRIMPANAM, KOCHI 682 309.
- 2 INDIAN OIL CORPORATION,
 REP. BY THE CHIEF GENERAL MANAGER (LPG- SALES), G-9,
 INDIAN OIL CORPORATION, ALI YAVAR MARG, BANDRA (E),
 MUMBAI 400 051.
- THE AREA SALES MANAGER (LPG),
 IOCL, PANAMPILLY AVENUE, PANAMPILLY NAGAR, COCHIN 682
 036.
- BHARATH PETROLEUM CORPORATION LTD.,
 REP. BY CHIEF LPG MANAGER, BHARATH PETROLEUM
 CORPORATION LTD, BHARATH BHAVAN, 4 &6, CURRIMBHOY ROAD,
 BALLARD ESTATE, MUMBAI 400 001.
- 5 BHARATH PETROLEUM CORPORATION, KR PLANT AND OFFICE, AMBALAMUKAL, ERNAKUAM-682 302.

- 6 HINDUSTAN PETROLEUM CORPORATION LIMITED, REP. BY ITS CHIEF GENERAL MANAGER, (LPG DIVISION), PETROLEUM HOUSE -17, JAMSHEDJI TATA ROAD, MUMBAI 400 020.
- 7 THE DEPUTY GENERAL MANAGER, KOCHI LPG REGIONAL OFFICE, HINDUSTAN PETROLEUM CORPORATION LTD., IRUMPANAM P.O, COCHIN 682 309.

BY ADVS.
M.GOPIKRISHNAN NAMBIAR
K.JOHN MATHAI
JOSON MANAVALAN
KURYAN THOMAS
PAULOSE C. ABRAHAM
RAJA KANNAN

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
WEDNESDAY, THE 31ST DAY OF MAY 2023 / 10TH JYAISHTA, 1945
WP(C) NO. 28542 OF 2021

PETITIONER:

ELDHO PHILIP AGED 31 YEARS S/O.PHILIP, 480/5, NECHUR, MANEED, ERNAKULAM 686 664

BY ADVS.
NIRMAL.S
VEENA HARI
RIA ELIZABETH JOSEPH
IRENE ELZA SOJI
K.REMIYA RAMACHANDRAN

- 1 KERALA CO-ORDINATION COMMITTEE OF OIL MARKETING COMPANIES
 REP.BY ITS CO-ORDINATION, CONVENER (REGIONAL MANAGER INDIAN OIL CORPORATION, KOCHI TERMINAL), KOCHI TERMINAL SEAPORT-AIRPORT ROAD, IRIMPANAM, KOCHI 682 309
- 2 INDIAN OIL CORPORATION, REP.BY THE CHIEF GENERAL MANAGER (LPG-SALES), G-9, INDIAN OIL CORPORATION, ALI YAVAR JUNG MARG, BANDRA (E), MUMBAI 400 051
- 3 THE AREA SALES MANAGER (LPG)
 IOCL, PANAMPILLY AVENUE, PANAMPILLY NAGAR, COCHIN
 682 036
- BHARATH PETROLEUM CORPORATION LTD.

 REP.BY CHIEF LPG MANAGER, BHARATH PETROLEUM

 CORPORATION LTD., BHARATH BHAVAN, 4 AND 6,

 CURRIMBHOY ROAD, BALLARD ESTATE, MUMBAI 400 001
- 5 THE TERRITORY MANAGER (LPG DIVISION)

- BHARATH PETROLEUM CORPORATION, KR PLANT AND OFFICE, AMBALAMUKAL, ERNAKULAM 682 302
- 6 HINDUSTAN PETROLEUM CORPORATION LIMITED REP.BY ITS CHIEF GENERAL MANAGER (LPG DIVISION), PETROLEUM HOUSE -17, JAMSHEDJI TATA ROAD MUMBAI 400 020
- 7 THE DEPUTY GENERAL MANAGER
 KOCHI LPG REGIONAL OFFICE, HINDUSTAN PETROLEUM
 CORPORATION LTD., IRUMPANAM P.O., COCHIN 682 309

BY ADVS.
M.GOPIKRISHNAN NAMBIAR
K.JOHN MATHAI
JOSON MANAVALAN
KURYAN THOMAS
PAULOSE C. ABRAHAM
RAJA KANNAN

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
WEDNESDAY, THE 31ST DAY OF MAY 2023 / 10TH JYAISHTA, 1945
WP(C) NO. 28613 OF 2021

PETITIONER:

SYJA P.L AGED 46 YEARS

D/O. P.V LONA, AKKENA HOUSE, HILL GARDEN, PLOT NO. 101, KUTTANALLUR P.O, THRISSUR 680 014

BY ADVS. NIRMAL.S VEENA HARI RIA ELIZABETH JOSEPH(K/618/2019) IRENE ELZA SOJI

- 1 KERALA CO-ORDINATION COMMITTEE OF OIL MARKETING COMPANIES
 REPRESENTED BY ITS CO-ORDINATION CONVENOR (REGIONAL MANAGER INDIAN OIL CORPORATION, KOCHI TERMINAL), KOCHI TERMINAL SEAPORT-AIRPORT ROAD, IRIMPANAM, KOCHI 682 309
- 2 INDIAN OIL CORPORATION
 REPRESENTED BY THE CHIEF GENERAL MANAGER (LPG-SALES), G-9, INDIAN OIL CORPORATION, ALI YAVAR
 JUNG MARG, BANDRA 9E), MUMBAI 400 051
- THE AREA SALES MANAGER (LPG)
 IOCL, PANAMPILLY AVENUE, PANAMPILLY NAGAR, COCHIN
 682 036
- BHARATH PETROLEUM CORPORATION LTD
 REPRESENTED BY CHIEF LPG MANAGER, BHARATH
 PETROLEUM CORPORATION LTD, BHARATH BHAVAN, 4 AND
 6 CHRRIMBHOY ROAD, BALLARD ESTATE, MUMBAI 400 001
- 5 THE TERRITORY MANAGER (LPG DIVISION)
 BHARATH PETROLEUM CORPORATION, KR PLANT AND

OFFICE, AMBALAMUKAL, ERNAKULAM 682 302

- 6 HINDUSTAN PETROLEUM CORPORATION LIMITED REPRESENTED BY ITS CHIEF GENERAL MANAGER (LPG DIVISION), PETROLEUM HOUSE -17, JAMSHEDJI TATA ROAD, MUMBAI 400 020
- 7 THE DEPUTY GENERAL MANAGER
 KOCHI LPG REGIONAL OFFICE, HINDUSTAN PETROLEUM
 CORPORATION LTD, IRUMPANAM P.O, COCHIN 682 309

BY ADVS.
M.GOPIKRISHNAN NAMBIAR
K.JOHN MATHAI
JOSON MANAVALAN
KURYAN THOMAS
PAULOSE C. ABRAHAM
RAJA KANNAN

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
WEDNESDAY, THE 31ST DAY OF MAY 2023 / 10TH JYAISHTA, 1945
WP(C) NO. 28848 OF 2021

PETITIONER:

PREETHAMOL K R
AGED 35 YEARS
D/O RAMAKRISHNAN, RESIDING AT MELEDATH MANA,
VIMALA NAGAR POST, AMBALAKOLLY, WAYANAD, PIN670645, PROPRIETRIX, M/S. WAYANAD BHARATHGAS,
PERIYA-670644.

BY ADVS.
NIRMAL.S
VEENA HARI
RIA ELIZABETH JOSEPH
IRENE ELZA SOJI
K. REMIYA RAMACHANDRAN

- 1 KERALA CO-ORDINATION COMMITTEE OF OIL MARKETING COMPANIES, REPRESENTED BY ITS COORDINATION CONVENOR (REGIONAL MANAGER INDIAN OIL CORPORATION, KOCHI TERMINAL), KOCHI TERMINAL SEAPORT-AIRPORT ROAD, IRIMPANAM, KOCHI-682309.
- 2 INDIAN OIL CORPORATION
 REPRESENTED BY THE CHIEF GENERAL MANAGER (LPG-SALES), G-9, INDIAN OIL CORPORATION, ALI YAVAR
 JUNG MARG, BANDRA(E), MUMBAI-400051.
- 3 THE AREA SALES MANAGER (LPG), IOCL, PANAMPILLI AVENUE, PANAMPILLI NAGAR, COCHIN-682036.
- 4 BHARATH PETROLEUM CORPORATION LTD.,
 REPRESENTED BY CHIEF LP MANAGER, BHARATH
 PETROLEUM CORPORATION LTD, BHARATH BHAVAN, 4 & 6,

CURRIMBHOY ROAD, BALLARD ESTATE, MUMBAI-400001.

- 5 THE TERRITORY MANAGER (LPG DIVISION), BHARATH PETROLEUM CORPORATION, KR PLANT AND OFFICE, AMBALAMUKAL, ERNAKULAM-682302.
- 6 THE HINDUSTAN PETROLEUM CORPORATION LTD REPRESENTED BY ITS CHIEF GENERAL MANAGER (LPG DIVISION), PETROLUEM HOUSE -17, JAMSHEDJI TATA ROAD, MUMBAI-400020.
- 7 THE DEPUTY GENERAL MANAGER
 KOCHI LPG REGIONAL OFFICE, HINDUSTAN PETROLEUM
 CORPORATION LTD, IRUMPANAM.P.O, COCHIN-682309.

BY ADVS.
M.GOPIKRISHNAN NAMBIAR
K.JOHN MATHAI
JOSON MANAVALAN
KURYAN THOMAS
PAULOSE C. ABRAHAM
RAJA KANNAN

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
WEDNESDAY, THE 31ST DAY OF MAY 2023 / 10TH JYAISHTA, 1945
WP(C) NO. 29007 OF 2021

PETITIONER:

SANDEEP G NAIR
AGED 48 YEARS
S/O GOVINDAN NAIR, VALANILA HOUSE, KATTAMPAKA
P.O.NJEEZHOOR, KOTTAYAM-686 612.

BY ADVS.
NIRMAL.S
VEENA HARI
RIA ELIZABETH JOSEPH
K. REMIYA RAMACHANDRAN

- 1 KERALA CO-ORDINATION COMMITTEE OF OIL MARKETING COMPANIES
 REP BY ITS CO-ORDINATION CONVENOR (REGIONAL MANAGER INDIAN OIL CORPORATION, KOCHI TERMINAL), KOCHI TERMINAL SEAPORT-AIRPORT ROAD, IRIMPANAM, KOCHI-682 309
- 2 INDIAN OIL CORPORATION
 REP BY THE CHIEF GENERAL MANAGER (LPG-SALES) G-9,
 INDIAN OIL CORPORATION, ALI YEAR JUNG MARG,
 BANDRA (E) MUMBAI-400 051.
- 3 THE AREA SALES MANAGER (LPG)
 IOCL , PANAMPILLY AVENUE, PANAMPILLY NAGAR,
 COCHIN-682 036
- BHARATH PETROLEUM CORPORATION LTD,
 REP BY CHIEF LPG MANAGER, BHARATH PETROLEUM
 CORPORATION LTD, BHARATH BHAVAN 4 & 6 CURRIMBHOY
 ROAD, BALLARD ESTATE, MUMBAI 400 001
- 5 THE TERRITORY MANAGER (LPG DIVISION),
 BHARATH PETROLEUM CORPORATION, KR PLANT AND

OFFICE, AMBALAMUKAL, ERNAKULAM-682 302

- 6 HINDUSTAN PETROLEUM CORPORATION LIMITED, REP BY ITS CHIEF GENERAL MANAGER (LPG DIVISION, PETROLEUM HOUSE-17 JAMSHEDJI TATA ROAD, MUMBAI-400 020
- 7 THE DEPUTY GENERAL MANAGER,
 KOCHI LPG REGIONAL OFFICE, HINDUSTAN PETROLEUM
 CORPORATION LTD, IRUMPANAM P.O.COCHIN-682 309

BY ADVS.
M.GOPIKRISHNAN NAMBIAR
K.JOHN MATHAI
JOSON MANAVALAN
KURYAN THOMAS
PAULOSE C. ABRAHAM
RAJA KANNAN

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
WEDNESDAY, THE 31ST DAY OF MAY 2023 / 10TH JYAISHTA, 1945
WP(C) NO. 29053 OF 2021

PETITIONER:

SANIJA A. AGED 40 YEARS D/O.ABDUL KHADER KUNJU, DARUL HILAL, NJAKKANAL (PO) OCHIRA, ALAPPUZHA - 690 533.

BY ADVS.
NIRMAL.S
VEENA HARI
RIA ELIZABETH JOSEPH
K. REMIYA RAMACHANDRAN

- 1 KERALA CO ORDINATION COMMITTEE OF OIL MARKETING COMPANIES
 REP. BY ITS CO-ORDINATION CONVENOR (REGIONAL MANAGER INDIAN OIL CORPORATION, KOCHI TERMINAL), KOCHI TERMINAL SEAPORT-AIRPORT ROAD, IRIMPANAM, KOCHI 682 309.
- 2 INDIAN OIL CORPORATION
 REP.BY THE CHIEF GENERAL MANAGER (LPG-SALES), G9, INDIAN OIL CORPORATION, ALI YAVAR JUNG
 MARG, BANDRA (E), MUMBAI 400 051.
- 3 THE AREA SALES MANAGER (LPG)
 IOCL, PANAMPILLY AVENUE, PANAMPILLY NAGAR, COCHIN 682 036.
- BHARATH PETROLEUM CORPORATION LTD.

 REP. BY CHIEF LPG MANAGER, BHARATH PETROLEUM

 CORPORATION LTD., BHARATH BHAVAN, 4 & 6,

 CURRIMBHOY ROAD, BALLARD ESTATE, MUMBAI 400

 001.

- 5 THE TERRITORY MANAGER (LPG DIVISION)
 BHARATH PETROLEUM CORPORATION, KR PLANT AND
 OFFICE, AMBALAMUKAL, ERNAKULAM 682 302.
- 6 HINDUSTAN PETROLEUM CORPORATION LIMITED REP. BY ITS CHIEF GENERAL MANAGER (LPG DIVISION), PETROLEUM HOUSE-17, JAMSHEDJI TATA ROAD, MUMBAI 400 020.
- 7 THE DEPUTY GENERAL MANAGER
 KOCHI LPG REGIONAL OFFICE, HINDUSTAN PETROLEUM
 CORPORATION LTD., IRUMPANAM P.O., COCHIN 682
 309.

BY ADVS.
M.GOPIKRISHNAN NAMBIAR
K.JOHN MATHAI
JOSON MANAVALAN
KURYAN THOMAS
PAULOSE C. ABRAHAM
RAJA KANNAN

P.V.KUNHIKRISHNAN

W.P.(C) Nos.29046/2021, 28542/2021, 28613/2021, 28848/2021, 29007/2021 & 29053/2021

Dated this the 31st day of May, 2023

JUDGMENT

These writ petitions are connected matters and therefore, I am disposing of these writ petitions by a common order.

- 2. These writ petitions are filed with a grievance that Ext.P2 guidelines are not implemented.
- 3. When these writ petitions came up for consideration on 14.11.2022, this Court passed the following order:-

"From the arguments advanced, I am convinced that steps are being taken by the Oil marketing Companies, to implement the policy for inter and intra company transfers. Certain instances of intra company transfers have also been pointed out by the learned Standing Counsel.

- 2. Learned Counsel for the petitioners submit that, although submissions are made that, efforts are being taken to implement the policy, the ground reality is otherwise, and the petitioners are finding it extremely difficult to pull on with the minimum number of customers provided.
- 3. As pointed out by the learned Standing Counsel, the policy cannot be implemented in individual cases and even the requirements for

connection and other ancillary materials for different Oil Marketing Companies are different and there is an incompatibility issue with respect to the systems being operated by different companies also. The submissions make it clear that the implementation of the inter company transfers is progressing but may require some more time.

The oil marketing companies may take necessary steps to hasten the process.

Post after a month."

4. Thereafter, the W.P.(C) No.29046/2021 came up for consideration on 21.02.2023, this Court passed the following order:-

"I.A.No.3/2023

This is an application filed by the writ petitioner seeking to carry out a correction in the 2^{nd} line in the 1^{st} paragraph of the writ petition.

Heard respective counsel and perused the affidavit. There is no objection from the respondents. I.A will stand allowed.

Registry is directed to carry out necessary amendment in the writ petition accordingly.

I.A.No.2/2023

This is an application to receive documents filed by the petitioner.

No objection. Heard. Allowed.

I.A.No.1/2023

This is an application filed by the writ petitioner seeking direction to the respondents to implement inter company customer transfer guidelines, following the judgment in W.P.(C) Nos.26014/2019 and 22449/2022, at the earliest.

Having heard respective counsel across the Bar, there will be a direction to the respondent Oil Company to submit before this Court the time required for implementing the guidelines issued for the purpose, within the State.

Post after two weeks."

5. Today, when these writ petitions came up for consideration, the learned counsel appearing for the Oil Companies submitted that the implementation is underway. But, there are some technical problems, which they will cure immediately.

In the light of the above submissions, I think these writ petitions can be disposed of directing the Oil Companies to implement Ext.P2 guidelines within a time frame. Therefore, these writ petitions are disposed of with the following direction:-

i) Respondents 2, 4 and 6 in these writ petitions are directed to implement Ext.P2 guidelines, as expeditiously as possible, at any rate, within four months from the date of receipt of a certified copy of these writ petitions.

Sd/-

P.V.KUNHIKRISHNAN JUDGE

APPENDIX OF WP(C) 28542/2021

Exhibit P1	TRUE COPY OF THE CIRCULAR ISSUED BY THE MINISTRY OF PETROLEUM AND NATURAL GAS DATED 16/2/2018
Exhibit P2	TRUE COPY OF THE INTER COMPANY TRANSFER GUIDELINES DATED 30.11.2018
Exhibit P3	TRUE COPY OF THE JUDGMENT IN W.A.1785/2019
Exhibit P4	TRUE COPY OF THE REPRESENTATION DATED 4.2.2021 MADE BY THE PETITIONER TO THE 1ST RESPONDENT
Exhibit P5	TRUE COPY OF THE JUDGMENT DATED 15-09-2022 IN WPC.26014/2019 AND CONNECTED CASES

APPENDIX OF WP(C) 28613/2021

Exhibit P1	TRUE COPY OF THE CIRCULAR ISSUED BY THE MINISTRY OF PETROLEUM AND NATURAL GAS DATED 16-02-2018
Exhibit P2	TRUE COPY OF THE INTER COMPANY TRANSFER GUIDELINES DATED 30-11-2018
Exhibit P3	TRUE COPY OF THE JUDGMENT IN W.A 1785/2019
Exhibit P4	TRUE COPY OF THE REPRESENTATION DATED 08-12-2021 MADE BY THE PETITIONER TO THE 1ST RESPONDENT.
Exhibit P 5	TRUE COPY OF THE JUDGMENT DATED 15/09/2022 IN WPC.26014/2019 AND CONNECTED CASES

APPENDIX OF WP(C) 28848/2021

Exhibit P1	TRUE COPY OF THE CIRCULAR ISSUED BY THE MINISTRY OF PETROLEUM & NATURAL GAS DATED 16/02/2018.
Exhibit P2	TRUE COPY OF THE INTER COMPANY TRANSFER GUIDELINES DATED 30.11.2018
Exhibit P3	TRUE COPY OF THE JUDGMENT IN W.A.1785/2019
Exhibit P4	TRUE COPY OF THE REPRESENTATION DATED $06/12/2021$ MADE BY THE PETITIONER TO THE 1ST RESPONDENT.
Exhibit P 5	TRUE COPY OF THE JUDGMENT DATED 15/09/2022 IN WPC.26014/2019 AND CONNECTED CASES

APPENDIX OF WP(C) 29007/2021

Exhibit P1	TRUE COPY OF THE CIRCULAR ISSUED BY THE MINISTRY OF PETROLEUM & NATURAL GAS DATED 16.2.2018
Exhibit P2	TRUE COPY OF THE INTER COMPANY TRANSFER GUIDELINES DATED 30.11.2018
Exhibit P3	TRUE COPY OF THEW JUDGMENT IN WA 1785/2019
Exhibit P4	TRUE COPY OF THE REPRESENTATION DATED 14.`12.2021 MADE BY THE PETITIONER TO THE 1ST RESPONDENT
Exhibit P 5	TRUE COPY OF THE JUDGMENT DATED 15-09-2022 IN WPC.26014/2019 AND CONNECTED CASES

APPENDIX OF WP(C) 29053/2021

Exhibit P1	TRUE COPY OF THE CIRCULAR ISSUED BY THE MINISTRY OF PETROLEUM & NATURAL GAS DATED 16/02/2018.
Exhibit P2	TRUE COPY OF THE INTER COMPANY TRANSFER GUIDELINES DATED 30/11/2018.
Exhibit P3	TRUE COPY OF THE JUDGMENT IN W.A.1785/2019.
Exhibit P4	TRUE COPY OF THE REPRESENTATION DATED 14/12/2021 MADE BY THE PETITIONER TO THE 1ST RESPONDENT.
Exhibit P5	TRUE COPY OF THE JUDGMENT DATED 15/09/2022 IN WPC.26014/2019 AND CONNECTED CASES

APPENDIX OF WP(C) 29046/2021

Exhibit	P1	TRUE COPY OF THE CIRCULAR ISSUED BY THE MINISTRY OF PETROLEUM AND NATURAL GAS DATED 16.02.2018.
Exhibit	P2	TRUE COPY OF THE INTER COMPANY TRANSFER GUIDELINES DATED 30.11.2018.
Exhibit	Р3	TRUE COPY OF THE JUDGMENT DATED 05.11.2020 IN W.P.C NO. 1095/2020
Exhibit	P4	TRUE COPY OF THE ORDER DATED 21.05.2021 ISSUED BY THE 1ST RESPONDENT.
Exhibit	P5	TRUE COPY OF THE JUDGMENT DATED 03.12.2021 IN W.A. 1785/2019
Exhibit	Р6	TRUE COPY OF THE REPRESENTATION DATED 25.01.2021 MADE BY THE PETITIONER TO THE 1ST RESPONDENT.
Exhibit	Р7	TRUE COPY OF THE JUDGMENT DATED 15/09/2022 IN WPC.26014/2019 AND CONNECTED CASES
Exhibit	P8	TRUE COPY OF THE REPRESENTATION DATED 12/01/2021
Exhibit	Р9	TRUE COPY OF THE REPLY DATED 16/1/2023 RECEIVED THROUGH RTI FROM THE 2ND RESPONDENT
Exhibit	P10	TRUE COPY OF THE REPLY DATED 16/1/2023 RECEIVED THROUGH RTI FROM THE 6TH RESPONDENT
Exhibit	P11	TRUE COPY OF THE REPLY REVIVED THROUGH RIGHT TO INFORMATION ACT 2005 FROM THE 4TH RESPONDENT DATED 17/1/2023