



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 13338 OF 2026 (GM-RES)

BETWEEN:

KRISHNA KUMAR H.R,
S/O RAMAKRISHNA H.C
AGED ABOUT 40 YEARS
SIDDALINGAPURA VILLAGE,
GONIMARURU,
SOMWARPETE TALUKU,
KODAGU DIST - 571 236.

...PETITIONER

(BY SRI. R.S. RAVI, SR. COUNSEL FOR
SRI. B.S. BASAVARAJU, ADVOCATE)

AND:

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by
SHARADAVANI
B
Location: High
Court of
Karnataka

1. BHARAT PETROLEUM CORPORATION LIMITED (BPCL)
(A GOVT. OF INDIA ENTERPRISE)
REPRESENTED BY CHAIRMEN AND MANAGING
DIRECTOR (BPCL), TERRITORY COORDINATOR
(RETAIL), MYSORE, BPCL MYSORE RETAIL
TERRITORY OFFICE, POL DEPOT,
BEHIND FCI GOWDOWN, METAGALLI,
MYSORE, KARNATAKA STATE - 5750016.
2. DEPUTY COMMISSIONER
KODAGU DISTRICT
MADIKERI - 571 201.



3. ASSISTANT COMMISSIONER
KODAGU DISTRICT
MADIKERI - 571 201.
4. TASHILDHAR
SOMWARPET
KODAGU DIST- 571 236.
5. ASSISTANT DIRECTOR OF LAND RECORDS (ADLR)
CITY SURVEY SHANIWARSANTE SOMWARPETE TQ,
SOMWARPETE, KODAGU - 571 236.
6. DISTRICT FIRE OFFICE (IN CHARGE)-
KODAGU DIST.
NEAR DAIRY FORM ROAD,
KARNANGERI, MADIKERI.
MADIKERI - 570 201.
7. THE MANAGING DIRECTOR
CHAMUNDESHWARI ELECTRICITY OFFICE,
CESCOM DIVISION OFFICE, MADIKERI.
SHANTINIKETANA ROAD,
NEAR SUDARSHANA CIRCLE, MADIKERI,
KODAGU - 570 201.
8. DUSHYANTH KUMAR
S/O DHARMAPPA, AGED 35 YEARS,
SIDDALINGAPURA VILLAGE, GONIMARURU,
SOMAWARPETE TALUKU,
KODAGU DIST - 571 236

...RESPONDENTS

(BY SRI. B. PRAMOD, ADVOCATE FOR R1;
SRI. ADITYA DIWAKAR, AGA FOR R2 TO R6)



THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A. ISSUE, WRIT OF CERTIORARI TO QUASH THE SELECTION PROCESS DATED 30.11.2023 ISSUED BY RESPONDENT NO.1, BY SELECTING RESPONDENT NO.8 AS AN ELIGIBLE CANDIDATE FOR DEALERSHIP OF REGULAR/RURAL RETAIL OUTLET (PETROL PUMP) AS ULTRA VIRUS PRODUCED HERewith ANNEXURE K AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The captioned petition is filed by the petitioner questioning the selection process dated 30.11.2023 issued by respondent no.1 declaring respondent no.8 as an eligible candidate for dealership of a regular/Rule Retail Outlet (Petrol Pump) as ultra vires as per Annexure-K. Consequently, a mandamus is also sought directing respondent no.1 to select the petitioner as a suitable candidate and issue a work order in favour of the petitioner.



2. Heard learned counsel appearing for the petitioner, learned AGA appearing for respondent No.2 to 5 and the learned standing counsel appearing for respondent no.1. Perused the records.

3. The gist of the petitioner's grievance is that pursuant to the notification/advertisement issued by respondent No.1 inviting applications for allotment of a Rural Retail Outlet, the petitioner had submitted his application seeking consideration for grant of dealership. It is contended that upon receipt of communication calling upon the petitioner to participate in the process of selection by way of draw of lots held on 13.12.2023, the petitioner participated in the said process. The specific allegation canvassed before this Court is that respondent No.1, while conducting the selection, has arbitrarily favoured respondent No.8, without properly scrutinizing and verifying the eligibility criteria prescribed under the governing guidelines.

4. It is further asserted that, aggrieved by the alleged irregularities in the selection process, the petitioner has submitted detailed representations to the Deputy Commissioner, as well as to the District Fire Officer and the



Executive Engineer of CESCO, bringing to their notice that respondent No.8 had not furnished requisite documents, particularly the title deeds or lease documents, so as to establish his eligibility in terms of the notification. On these grounds, the petitioner calls in question the selection of respondent No.8 and seeks interference of this Court.

5. Per contra, the learned standing counsel appearing for respondent No.1, taking this Court through the guidelines governing selection of dealers for regular and rural retail outlets through draw of lots, would submit that the entire process was initiated in the year 2023 by issuance of a notification/advertisement inviting applications. It is submitted that both the petitioner and respondent No.8 were found eligible to participate under Group-1 category and were accordingly permitted to take part in the draw of lots. It is further submitted that the draw of lots was conducted in a transparent manner and in the presence of the petitioner himself, wherein respondent No.8 emerged successful.

6. Placing reliance on the relevant clauses of the guidelines, the learned standing counsel would contend that



upon selection by draw of lots, a Letter of Intent dated 31.08.2024 has been issued in favour of respondent No.8, and at that stage, respondent No.8 is required to comply with and satisfy all the conditions stipulated therein, including submission and verification of requisite documents. It is thus contended that the process of scrutiny of documents is yet to be concluded, and in the event respondent No.8 fails to fulfill the conditions prescribed under the Letter of Intent and the governing guidelines, respondent No.1 would be obliged to consider the next eligible candidate, namely the petitioner, who had also qualified under Group-1 category.

7. In the light of the submissions made by the learned standing counsel, this Court is of the considered view that the contention urged by the learned Senior Counsel appearing for the petitioner, insofar as it relates to non-production of title or lease documents at the stage of submission of application, appears to be misconceived. If, as stated on instructions, respondent No.1 does not insist upon production of such documents at the stage of application and permits subsequent compliance post issuance of Letter of Intent, then relief sought



without challenge mounted to the issuance of Letter of Intent dated 31.08.2024, at this premature stage, does not warrant interference under Articles 226 and 227 of the Constitution of India.

8. This Court is further of the view that the petitioner has not demonstrated any prejudice at this stage, inasmuch as the selection by draw of lots is admittedly conducted in his presence and in accordance with the prescribed procedure. The rights of the petitioner, if any, are adequately safeguarded, as in the event respondent No.8 fails to satisfy the eligibility criteria and conditions stipulated in the Letter of Intent, respondent No.1 is duty-bound to proceed in accordance with the guidelines and extend consideration to the petitioner as the next eligible candidate.

9. In that view of the matter, this Court finds that no cause of action has presently arisen warranting interference in exercise of writ jurisdiction.

Accordingly, the writ petition stands ***disposed of***.



It is made clear that no opinion is expressed on the merits of the rival claims and all contentions are left open to be urged at an appropriate stage, if the occasion so arises.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE