



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2015

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.A.No.20 of 2015

Mrs.Sreekala

.. Appellant

Vs.

1. Bharath Petroleum Corporation Ltd.,
rep by its Chairman & Managing Director,
Bharat Bhavan,
4 & 6, Currimbady Road,
Mumbai.

2. The Regional L.P.G. Manager,
Bharat Petroleum Corporation Ltd.,
No.1, Anna Nagar, Chennai-600 040.

3. The Territory Manager,
Bharat Petroleum Corporation Ltd.,
Tuticorin LPG Plant,
Tuticorin District.

.. Respondents

This writ appeal is preferred under Clause 15 of the Letters Patent against the order of this court dated 15.03.2013 made in W.P.No.5475 of 2008. Petition under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to give Bharat L.P.G. Distributorship at Karingal, Kanyakumari District based on the petitioner's application dated 3.10.2000 and based on the publication dated 16.8.2000 in Daily Thanthi and hearing called the petitioner for the interview proposed to be held on 13.3.2004 by the respondent.

For Appellant : Mr.K.Surendran
for Mr.R.N.Amarnath

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JUDGMENT

(Judgment of the Court was made by SATISH K. AGNIHOTRI, J.)

The appellant, who is the writ petitioner, seeking a direction to the respondents to allot L.P.G. Distributorship at Karingal, Kanyakumari District based on the application dated 03.10.2000 pursuant to the notification dated 16.8.2000 in Daily Thanthi, preferred the writ petition. The learned Single Judge, holding that on the basis of the application, the writ petitioner has not acquired any right and also recording the fact that pursuant to the fresh advertisement, the said Distributorship has been allotted to some other person, rejected the writ petition. Thereagainst, the instant writ appeal has been filed.

2. The contention of the learned counsel for the writ petitioner was that pursuant to the notification published on 16.8.2000 in Daily Thanthi, the writ petitioner made an application. The petitioner was called for the interview to be held on 13.3.2004. Thereafter, the writ petitioner did not receive any information with regard to the subsequent interview, if any held thereafter.

3. The writ petitioner sent a representation subsequently which was not considered and as such, the writ petitioner came with the writ petition, being W.P.No.26580 of 2007, wherein this court directed the respondents to consider and dispose of the representation dated 27.2.2007 made to the second respondent. The second respondent pursuant to the order of this court, informed the petitioner on 28.9.2007 that the interview initially fixed on 12.3.2004 was adjourned on account of declaration of general selection and the same could not take place subsequently. Thereafter, a new process was initiated for awarding distributorship, leading to selection of some other person, who has not been impleaded as party respondent. The writ petitioner has preferred the writ petition seeking aforesaid direction without questioning the communication dated 28.9.2007, whereunder the petitioner was informed about the status rejecting the representation.

4. The learned Single Judge, recording the fact that pursuant to the fresh advertisement, some other person was selected, dismissed the writ petition.

5. We have considered the submissions of the learned counsel for the appellant, perused the pleadings and documents appended thereto.

6. We do not find any merit in this appeal. The writ petitioner / appellant made an application way back on 03.10.2000. The writ petitioner was informed thereafter that the interview could not be held on account of unavoidable circumstances. Thereafter, the



entire process of selection, it appears, was cancelled and a new process of selection was initiated, which led to selection of some other person. The writ petitioner does not acquire any right to the allotment of distributorship based on her application. Thus, rejection of the writ petition cannot be held as improper and irregular, warranting interference.

7. Resultantly, the writ appeal is dismissed. No costs.

vvk

-s/d-
Deputy Registrar(J)
Dt:10/2/2015

True Copy

Sub-Assistant Registrar

To

1. The Chairman & Managing Director,
Bharath Petroleum Corporation Ltd.,
Bharat Bhavan,
4 & 6, Currimbady Road,
Mumbai.
2. The Regional L.P.G. Manager,
Bharat Petroleum Corporation Ltd.,
Bo.1, Anna Nagar, Chennai-600 040.
3. The Territory Manager,
Bharat Petroleum Corporation Ltd.,
Tuticorin LPG Plant,
Tuticorin District.

+ 1 cc to M/s.R.N.Amarnath, Advocate SR 5151

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