

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.9209 of 2015
and
M.P.Nos.1 and 2 of 2015

R.Muthukrishnan, Advocate.

... Petitioner

-vs-

1. Union of India,
rep. by The Secretary,
Ministry of Petroleum & Natural Gas
Shastri Bhawan, New Delhi-110001
2. Indian Oil Corporation Limited,
rep. by its General Manager,
'Indian Oil Bhawan',
139, Mahatma Gandhi Road,
Chennai-600034
3. Bharat Petroleum Corporation Limited
rep. by its Regional LPG Manager,
No.1, Ranganathan Garden,
11th Main Road, Anna Nagar West,
Chennai-600040
4. Hindustan Petroleum Corporation Limited
rep. by its Chief Regional Manager,
'Petro Bhaven', No.82, T.T.K. Road,
Alwarpet, Chennai-600018

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for and quash the communication of the 1st respondent published in the print media about the launching of the PAHAL (DBTL) Scheme with effect from 1st January 2015 for its being inconsistent with public law and the constitutional requirements.

For Petitioner : Mr.R.Muthukrishnan
Party-in-person.

O R D E R

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

The petitioner is back again ! We have already dealt with his earlier petition bearing W.P.No.4843 of 2014 on 09.02.2015. The petitioner submits that while dismissing the petition, leave was granted to him to approach the Court again, in case he is aggrieved in future. We, thus, posed a query to him as to what has transpired after 09.02.2015 to give him the cause.

2.Except generalisations, the petitioner has not been able to point out anything which has occurred after 09.02.2015. The sole plea he seeks to advance is that as per an advertisement dated 01.01.2015 (which was available to the petitioner when the earlier petition was filed), in order to avail of the DBTL Scheme, the phraseology used is "'and/or'" vis-a-vis a bank account and the Aadhar Card. However, the advertisement makes it abundantly clear that if there is no Aadhar Card, bank account details can be submitted. Thus, there is no mandatory requirement of Aadhar Card.

3.In fact, there could not have been such a requirement in view of the judgment of the Hon'ble Supreme Court and that aspect further stands clarified in the order produced before us in Writ Petition (Civil) No. 494 of 2012 (between Justice K.S.Puttaswamy (Retd.) & Another vs. Union of India & Ors.) passed on 16.03.2015 by the Hon'ble Supreme Court that both Union of India and States and all their functionaries should adhere to the order passed by the Hon'ble Supreme Court on 23.09.2013. In fact, learned Assistant Solicitor General appearing for the Central Government cannot and does not dispute this position.

4.In view of the aforesaid, there is no cause for the petitioner to once again approach this Court.

5.Writ Petition stands dismissed. Consequently, M.P.Nos.1 and 2 of 2015 also stand dismissed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary, Union of India,
Ministry of Petroleum & Natural Gas
Shastri Bhawan, New Delhi-110001
2. The General Manager,
Indian Oil Corporation Limited, ''Indian
Oil Bhawan'', 139, Mahatma Gandhi Road, Chennai-600034
3. The Regional LPG Manager,
Bharat Petroleum Corporation Limited
No.1, Ranganathan Garden, 11th Main Road,
Anna Nagar West, Chennai-600040
4. Chief Regional Manager,
Hindustan Petroleum Corporation Limited
''Petro Bhaven'', No.82, T.T.K. Road,
Alwarpet, Chennai-600018

+lcc to M/s.R.Muthu Krishnan, Advocate, S.R.No.17909

+lcc to M/s.Su.Srinivasan, Assistant Solicitor General, S.R.No.17957

W.P.No.9209 of 2015

RSK(CO)
CA(11/04/2015)

सत्यमेव जयते

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