



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Writ Petition(MD)No.20937 of 2016
and
W.M.P(MD)No.14943 of 2016

E.Manikandan

... Petitioner

Vs.

The Senior Area Manager,
Trichy Area Office,
Indian Oil Corporation,
Marketing Division : Indian Area Office,
Triveni 2nd Floor, B-35, Shastri Road,
Thillai Nagar,
Trichy - 620 018.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the respondent in his proceedings Ref.No.TRAO/IMP/ARAVA/04, dated 19.10.2016 and quash the same and consequently directing the respondent to award LPG Dealership to the petitioner in respect of Aravakurichi location, Karur District.

For Petitioner : Mr.B.Saravanan

ORDER

The present Writ Petition is filed seeking for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the respondent in his proceedings Ref.No.TRAO/IMP/ARAVA/04 dated 19.10.2016 and quash the same and consequently directing the respondent to award LPG Dealership to the petitioner in respect of Aravakurichi location, Karur District.

2.The contention of the petitioner is that he submitted an application for award of LPG Dealership before the respondent and along with the application, he produced all the necessary documents to the respondent.

3.The prayer sought for in the Writ Petition is that to quash the proceedings of the respondent, dated 19.10.2016 and for a consequential direction to award LPG Dealership in respect of Aravakurichi location, Karur District.



4.This Court is of the opinion that such a prayer sought for by the petitioner cannot be granted, more specifically, the order under challenge is not a conclusive order. On a reading of the impugned order, it is clear that the petitioner was advised to submit any other suitable documents as on date of the application and further it is stated that in the event of not producing the relevant documents, the candidature of the petitioner will be rejected. Therefore, this Court is of the view that the impugned order passed by the respondent is not a final order and therefore, the Writ Petition is pre-mature and cannot be maintained at this stage.

5.The learned counsel for the petitioner requested that now the time for submitting the documents lapsed in view of the filing of the present Writ Petition and therefore, time for submitting the documents may be extended.

6.Accordingly, this Writ Petition is dismissed. However, permission is granted to the petitioner to submit suitable documents as claimed by the respondent in their order, dated 19.10.2016 or any other representation by the petitioner within a period of two weeks from the date of receipt of a copy of this order and the respondent shall accept the same and consider the documents on merits and in accordance with law and as per the conditions in the application form. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

The Senior Area Manager,
Trichy Area Office,
Indian Oil Corporation,
Marketing Division : Indian Area Office,
Triveni 2nd Floor, B-35, Shastri Road,
Thillai Nagar, Trichy - 620 018.

+ 1 CC TO Mr.B.SARAVANAN, ADVOCATE IN SR No. 64788

PS

TE/KM : 15/11/2016 : 2P/3C

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W.M.P(MD)No.14943 of 2016
01.11.2016