



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**
and
THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

W.P(MD)No.7756 of 2011 and 8150 of 2011

A.Rajangam .. Petitioner in
W.P.No.7756/2011
V.Perumal .. Petitioner in
W.P.No.8150/2011
Vs.

The Chief Regional Manager LPG
Chennai LPG Regional Office,
Hindustan Petroleum Corporation Limited
3rd floor, Thalamuthu Natarajan Building,
Egmore, Chennai. .. 1st Respondent
in both W.Ps.

The General Manager,
Indian Oil Corporation (Marketing Division)
Indian Oil Bhavan,
No.139 Nungambakkam High Road,
Chennai. .. 2nd Respondent in
W.P.No.7756/2011

P.Murugesan .. 3rd Respondents in
W.P.No.7756/2011
2nd Respondent in
W.P.No.8150/2011
P.Guruvammal .. 3rd Respondent in
W.P.No.8150/2011

(R3 Impleaded as per order of the
Honourable Court dated 10.08.2011 on
MP(MD)No.2/2011 in WP(MD)No.8150/2011)

Prayer in W.P.No.7756:Writ Petition is filed under Article 226 of
the Constitution of India praying to issue a Writ of Mandamus to
direct the 1st and 3rd respondents to fix the RGGL - V - LPG godown
and office at Thimmarasa Nayakkanur - the RGGL V scheme village.



For Respondents in
in WP (MD) No. 7756/2011

: Mr. M. Sridhar for R1
Mr. K. Muralidharan for R2
No appearance for R3

Prayer in W.P. No. 8150: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 1st respondent to fix the RGGL - V - LPG godown and office at Thimmarasa Nayakkanur - the RGGL V scheme village.

For Petitioner
in WP (MD) No. 8150/2011
For Respondents
in WP (MD) No. 7756/2011

: M/s. P. Muthuvijayapandian
: Mr. M. Sridhar for R1
: No appearance for R2
For R3 : M/s. D. Shanmuga Raja Sethupathy

COMMON ORDER

(Order of the Court was made by S. NAGAMUTHU, J.)

These two writ petitions have been filed by two individuals under the guise of public interest seeking one and the same relief. They have prayed for a direction to the 1st respondent to fix the RGGL - V - LPG godown and office at Thimmarasanayakkanur Village, which is the scheme village.

2. We have heard the learned counsel for the petitioners and the learned counsel for the official respondents and we have also perused the records carefully.

3. According to the learned counsel for the petitioners, the godown is now located at a distance of 5 kilometres away from the advertised village. But in the counter, it is stated by the 1st respondent that the godown has been fixed only in the advertised village and there is no violation. Even according to the learned counsel for the respondents, even if there is a violation, it is for the 1st respondent to look into the same. In our considered view, locating the godown at a particular place is within the wisdom of the 1st respondent, which involves lot of issues like, security, safety etc. when the same was done by the 1st respondent, it cannot be found fault with under the guise of public interest litigation.

4. The learned counsel for the 1st respondent would submit that Mr. Rajangam has come up with the writ petition in W.P. (MD) No. 7756/2011 only to thwart the attempt of the 1st respondent to have another agent in that area, because Mr. Rajangam is already an agent in that area. The learned counsel for the 1st respondent would go to show that Mr. Rajangam has come up with this public interest litigation with no public interest in mind, but only to enforce his private interest. It is also stated that



the petitioner in the other writ petition has been instigated by Rajangam.

5. We find force in the said submissions.

6. At any rate, there is no public interest at all involved in this writ petition and therefore, the same cannot be entertained. Accordingly, the writ petitions are dismissed. If the petitioners have got any more grievance, they have to work out their remedy in the manner known to law. No costs. Consequently connected Miscellaneous Petitions are also dismissed.

Sd/-

Assistant Registrar(Crl.side)

/True copy/

Sub Assistant Registrar

To

1.The Chief Regional Manager LPG
Chennai LPG Regional Office,
Hindustan Petroleum Corporation Limited
3rd floor, Thalamuthu Natarajan Building, Egmore, Chennai.

2.The General Manager,
Indian Oil Corporation (Marketing Division)
Indian Oil Bhavan,
No.139 Nungambakkam High Road, Chennai.

+2 cc's to M/s.M.Sridhar, Advocate in SR.Nos.54184 & 54185
+1 cc to M/s.P.Muthuvijaya Pandian, Advocate in SR.No.54901
+1 cc to M/s.K.Muraleedharan, Advocate in SR.No.55351

RR

CSL/DB/14.10.2016 :3P/7C

**ORDER MADE IN
W.P(MD)Nos.7756 and 8150 of 2011
21.09.2016**