

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Twentieth day of February Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE M.SUNDAR

WMP No.4006 of 2017

in WP.No.40005 of 2016

R.MANJU,

[PETITIONER]

Vs

1 E.ILAVARASI,

[RESPONDENT]

2 SENIOR AREA MANAGER,
INDIAN OIL CORPORATION LTD.,
8/1079, AVINASHI ROAD,
COIMBATORE-641018.

3 THE AREA MANAGER
INDIAN OIL CORPORATION LTD., 8/1079,
AVINASHI ROAD, COIMBATORE-641018.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to allow the present Petition and Implead the Petitioner herein as a the 3rd Respondent in the Writ Petition(in WMP.No.4006/2017)

Order: This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.R.VENKAT RAMAN, Advocate for the petitioner and of M/S.R.AVINASH WHADWANI, on behalf of the 1st respondent and of MR.MOHAMED FAYAZ ALI Advocate on behalf of the 2 & 3 Respondents the court made the following order:-

The matter pertains to allotment of Distributorship for Liquid Petroleum Gas, Dharmapuri.

2.It is submitted that the writ petitioner in the main writ petition and one R.Manju, who is the petitioner in this impleading petition, were two eligible candidates, who were also eligible to participate in the draw of lots.

3. Under such circumstances, the writ petitioner was selected in the draw of lots. Thereafter, on 30.08.2016 in the Field Verification, it was found that the writ petitioner's proposed site for the distributorship offer is not in Dharmapuri for which the distributorship is intended. On this basis, the allotment was cancelled vide order dated 30.08.2016 bearing Reference No.CBE:AO:IMP 2013-14:CBE/DP3/2 (impugned order).

4. The main writ petition has been filed to call for records pertaining to the said order dated 30.08.2016 and to quash the same.

5. It is seen from the records that there is an interim order of status quo now in operation. Under the above circumstances, R.Manju, who was the other eligible candidate, has now come up with the instant impleading petition. The writ petitioner or the petitioner in this impleading petition are eligible to dealership subject to satisfying all the other conditions.

6. It is brought to the notice of this Court that based on the cancellation, the petitioner in the present petition was called upon to deposit Rs.25,000/-. Thereafter, the matter could not proceed further. Therefore, it is clear that the impleading petitioner R.Manju is not only a proper party but also a necessary party to these proceedings.

7. Mr. Avinash Whadwani, learned counsel for the writ petitioner, who is the first respondent herein also very fairly says that he has no serious objection or opposition to this petition being allowed.

8. Accordingly, this petition is allowed and the impleading petitioner is impleaded as third respondent in the main writ petition as well as in W.M.P. No.34067 of 2016.

9. Memo of parties to be amended suitably.

-sd/-

20/02/2017

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 SENIOR AREA MANAGER,
INDIAN OIL CORPORATION LTD.,
8/1079, AVINASHI ROAD, COIMBATORE-641018.

2 THE AREA MANAGER
INDIAN OIL CORPORATION LTD., 8/1079,
AVINASHI ROAD, COIMBATORE-641018.

C.C. to M/S.R.VENKAT RAMAN Advocate on payment of necessary
charges

C.C. to M/S.R.AVINASH WHADWANI, Advocate on payment of necessary
charges

C.C. to MR.MOHAMED FAYAZ ALI Advocate on payment of necessary
charges

Order

in
WMP.4006/2017

in
WP.40005/2016

Date :20/02/2017

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