IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.12.2017

CORAM

THE HONOURABLE MR.JUSTICE RAVICHANDRABAABU

W.P.No.32580 of 2017
and W.M.P.No.35905 of 2017

A.Anbalagan ... Petitioner

vs.

1. The State Head Manager,
   Liquefied Petroleum Gas (LPG)
   Bharat Petroleum Corporation Ltd.
   No.1, 15th Main Road,
   Ranganathan Garden,
   Anna Nagar,
   Chennai - 600 040.

2. The Territory Manager,
   Bharat Petroleum Corporation Ltd.,
   J1-J6, SIPCOT Industrial Complex,
   Gummidipoondi,
   Thiruvallur District.

3. S.Subramaniyan ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of declaration declaring the appointment of Distributor agency of liquefied Petroleum Gas (LPG) in-favour of Mr.D. Subramanian, S/o. G.Dasarathan originally belonging to Anthanur Village, Pakkripalayam Post, Chengam Taluk, Thiruvannamalai District, the 3rd respondent herein for the award of liquefied Petroleum gas (LPG) Distributorship of BPC at subject location of Elangunni Village Gram Panchayat, situated in Chengam Taluk, Thiruvannamalai District as null and void, subsequently direct the 1st and 2nd respondent herein to appointe the petitioner herein as liquefied Petroleum gas (LPG) distributorship of BPC at subject location of Elangunni Village Gram Panchayat, situated in Chengam Taluk, Thiruvannamalai District by considering the petitioner's representation dated 29.11.2017.

For Petitioner : Mr.Dalit Tiger C.Ponnusamy
For Respondents : Mr.C.Vijayan
for M/s. King & Patridge
for R1 & R2

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O R D E R

Mr.C.Vijayan, learned standing counsel takes notice for 1st and 2nd respondents. By consent of the parties, the main writ petition itself is taken up for final disposal. Since this writ petition is being disposed of without affecting the interest of the 3rd respondent, notice to the 3rd respondent is dispensed with.

2. The petitioner seeks for a declaration to declare the appointment of the 3rd respondent herein as the distributor of the Liquefied Petroleum Gas as null and void.

3. Though the petitioner has raised several contentions challenging the selection of the 3rd respondent, this Court is not inclined to go into all those contentions and give any finding, as admittedly, the petitioner has approached the second respondent on 29.11.2017 and has given the objection against the third respondent's appointment. Perusal of the Brochure of Unified Guideline No.27 of the Selection of Liquefied Petroleum gas Distributorship would show that the petitioner has got a remedy before the concerned authority by making the complaint/representation who in turn will look into the same and pass orders on merits and in accordance with law.

4. Therefore, without expressing any view on the merits of the claim made by the petitioner, this Writ petition is disposed of only by directing the 2nd respondent to consider the representation of the petitioner dated 29.11.2017 and pass orders on the same on merits and in accordance with law, after giving due opportunity of personal hearing to the petitioner as well as the 3rd respondent, within a period of eight weeks form the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

सत्यमेव जयते

Sd/-
Assistant Registrar(CS-iV)

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Sub Assistant Registrar

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To

1. The State Head Manager,
   Liquefied Petroleum Gas (LPG)
   Bharat Petroleum Corporation Ltd.
   No.1, 15th Main Road,
   Ranganathan Garden,
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   Chennai - 600 040.

2. The Territory Manager,
   Bharat Petroleum Corporation Ltd.,
   J1-J6, SIPCOT Industrial Complex,
   Gummidipoondi,
   Thiruvallur District.

+ 1 cc to M/s. King & Patridge, Advocate Sr.89413
+ 1 cc to Mr. Dalit Tiger C Ponnusamy, Advocate SR.89361

W.P.No.32580 of 2017

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