

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.3330 of 2014

and

M.P.No.1 of 2014

and

W.M.P.Nos.11489 to 11491 of 2017

M.Ramesh

MPR Enterprises

.. Petitioner

Vs

1.The Executive Director,
Indian Oil Corporation Ltd.,
Indian Oil Bhavan,
39, Nungambakkam High Road,
Chennai - 34.

2.The Senior Area Manager,
Indane Area Office, IOC Ltd.,
Triveni 2nd floor, B.35, Sasthri Road,
Thillai Nagar, Trichirapalli - 18.

3.Vasanthi

4.M.Balamurugan

5.Shankar

[Respondents 3 to 5 are impleaded as per
order of this Court dated 21.04.2017 in
WMP Nos.10003 to 10005 of 2017 in
W.P.No.3330 of 2014.]

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus forbearing the respondents from in any manner disposing the dealership rights in respect of villages under Kallakurichi Taluk, Villupuram District as notified in Serial No.282 to 285 of the notification dated 21.09.2013, duly published in the English Daily "Hindu" issue dated 21.09.2013 against IMP No.2013-14, by the respondents herein.

For Petitioner : Mr.K.R.Samratt for Mr.M.Sekar
For RR1 & 2 : Mr.V.Anand Natarajan
For RR3 to 5 : Mr.S.Selvathirumurugan
for Mr.N.Syed Jamal

ORDER

The petitioner has filed the above writ petition seeking to issue mandamus forbearing the respondents from in any manner disposing of the dealership rights in respect of the villages under Kallakurichi Taluk, Villupuram District as notified in Serial No.282 to 285 of the Notification dated 21.09.2013, duly published in the English Daily "The Hindu", dated 21.09.2013 against IMP No.2013-14 by the respondents.

2. The respondents issued notification for the dealership rights in respect of the Indian Gas Agency for the Taluk of Kallakurichi. According to the petitioner, there were some grave errors in identifying the villages concerned. The petitioner has stated that in respect of the Serial Numbers 282 to 285 of the Notification, dated 21.09.2013, there was confusion with regard to identifying the correct name of the village. Serial No. 282 relates to Kallakurichi, Katchirapalayam village, Serial No.283 relates to Kallakurichi, Madhur village, Serial No. 284 relates to Kallakurichi, Mamandal village and Serial No. 285 relates to Kallakurichi, Viragavur village. So far as Serial Nos. 283 and 284 are concerned, the petitioner has stated that there is a village called Madhur in Chinna Salem Taluk and in respect of the Mandal Village, it should be pronounced with the correct name of the village as Mamanandal.

3. In these circumstances, the petitioner sent a representation to the respondents on 17.10.2013, wherein they have disputed the names of the village of Madhur and Mamanandal. So far as the name of the other two villages, viz., Kallakurichi, Katchirapalayam village and Kallakurichi, Viragavur are concerned, the petitioner has not raised any query in his representation.

4. The learned counsel appearing for the respondents 3 to 5, who are successive bidders, submitted that in the Notification dated 21.09.2013, it has been clearly stated against Serial Nos.282 to 285 that all the four villages come within the Taluk of Kallakurichi. Admittedly, there was a bifurcation of some villages in Kallakurichi taluk on 10.10.2012. However, the Notification was issued on 21.09.2013. On a perusal of the Notification dated 21.09.2013, published in the English Daily, it is clear that the respondents 1 and 2 have clearly identified

the villages within the Kallakurichi taluk. That apart, even in the representation sent by the petitioner on 17.10.2013, he has rightly mentioned the correct name of the villages as Mamanandal and Kallakurichi Madhur.

5. When the petitioner is able to correctly identify the village as Madhur and Mamanandal of Kallakurichi, I find no reason to accept the case of the petitioner that the names mentioned by the respondents 1 & 2 in the Notification creates any confusion in the minds of the applicants. However, I am of the view that, in future, it would be helpful if the Revenue village number is also mentioned in the Notification against each village enabling the participants of the tender to correctly identify the place without any confusion.

6. In the circumstances, I do not find any reason to restrain the respondents from disposing of the dealership rights in respect of the villages stated in this petition. The Writ Petition is devoid of merits and the same is accordingly dismissed. No costs. Consequently, the connected Miscellaneous petitions are closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Executive Director,
Indian Oil Corporation Ltd.,
Indian Oil Bhavan,
39, Nungambakkam High Road,
Chennai - 34.
2. The Senoor Area Manager,
Indane Area Office, IOC Ltd,
Triveni 2nd Floor, B.35, Sasthri Road,
Thillai Nager, Trichirapalli.18

+1cc to Mr.V.Ananthanatarajan, Advocate in Sr.No.40262
+1cc to Mr.K.R.samratt, Advocate in Sr.No.40143
+3cc to Mr.S.Selvathirumurugan, Advocate in Sr.No.40147

W.P.No.3330 of 2014

RJ(CO)
NR(08/06/2017)