

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.15772 of 2004
and
W.P.M.P.No.18714 of 2004

R.Nirmala

.. Petitioner

Vs.

- 1) Union of India, Rep by its
Secretary,
Ministry of Petroleum and Natural Gas,
Sastri Bhawan,
New Delhi.
- 2) Hindustan Petroleum Corporation Ltd.,
Rep by its Chairman & Managing Director,
17, Jamshed Ji Tatta Road,
Mumbai 400 020.
- 3) The Senior Regional Manager - LPG,
Hindustan Petroleum Corporation Ltd.,
Thalamuthu Natarajan Maaligai,
Gandhi Irwin Road, Egmore,
Chennai 600 008

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the second respondent herein in his proceeding dated 26.05.2004 and quash the same and consequently direct the respondents herein to allot LPG Distribution in Velachery area, an open category in Kancheepuram District, State of Tamil Nadu in preference to other applicants without insisting on fulfillment of Condition No.9 stated in the application form in the advertisement form in the advertisement in "THE HINDU" dated 31.01.2004 to the petitioner.

For Petitioner : Mr.K.Raja
For 1st Respondent : Mr.J.Madhana Gopal Rao, SCGSC,

For Respondents 2 & 3: Mr.O.R.Santhana Krishnan

ORDER

The petitioner has come forward challenging the communication dated 26.05.2004, sent by the second respondent, seeking to issue direction to the respondents herein to allot LPG Distributorship to her in Velachery area, an open category in Kancheepuram District, in preference to other applicants without insisting on fulfillment of Condition No.9 stated in the application form in the advertisement in "THE HINDU" dated 31.01.2004.

2. Admittedly, the relief sought by the petitioner to consider her application for dealership based on the advertisement published in "THE HINDU" dated 31.01.2004 no longer survives. However, learned counsel for the petitioner submitted that considering the facts submitted in the application form for the dealership of kerosene, the petitioner may be allotted LPG dealership.

3. Since the same has not been mentioned in the aforesaid prayer, more particularly for converting kerosene dealership to LPG dealership, this Court is not inclined to grant any relief sought by the petitioner. In case, the petitioner seeks allotment of LPG Distributorship or Retail Outlet or Two/Three Wheeler Dealership in Chennai, in connection with notifications/advertisements, then priority should be given to her.

This Writ Petition is disposed of with the above direction and observation. No costs. Consequently, connected W.P.M.P.No.18714 of 2004 is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sts

To:

1) The Secretary,
Union of India
Ministry of Petroleum and Natural Gas,
Sastri Bhawan, New Delhi.

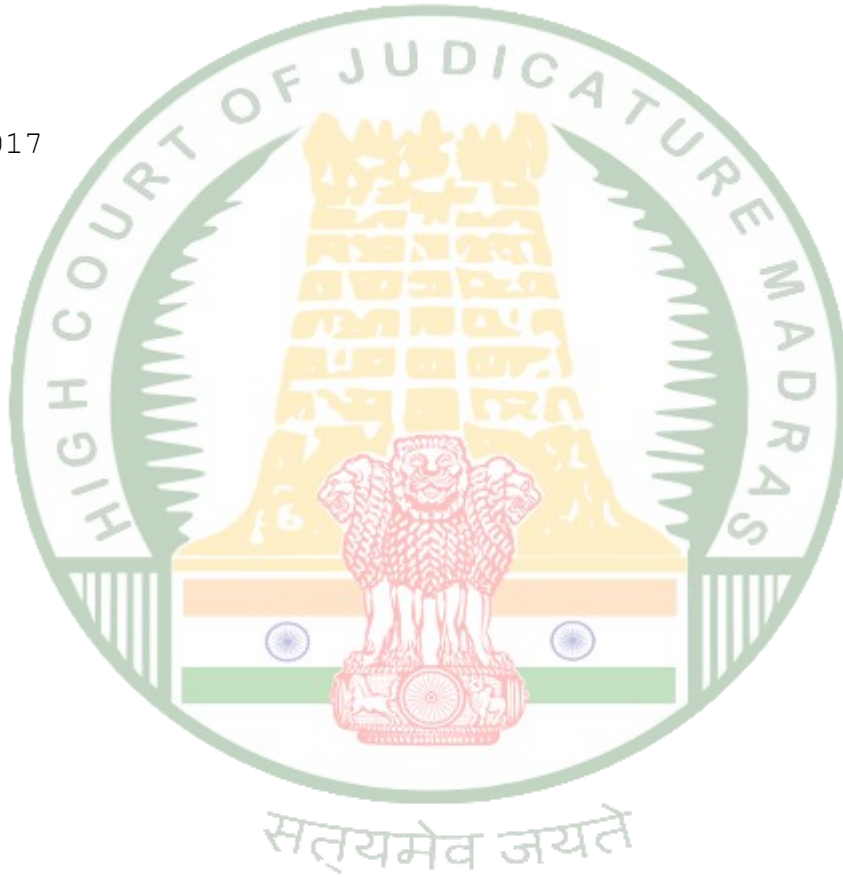
+1 cc to M/s.K.Raja Advocate sr 52253

+1 cc to M/s.J.Madhana Gopal Rao Advocate sr 51525

+1 cc to M/s.O.R.Santhanakrishnan Advocate sr 51522

W.P.No.15772 of 2004

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