



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 08.03.2017
Pronounced on : 27.03.2017

WEB COPY

CORAM:

THE HONOURABLE MR. JUSTICE V. PARTHIBAN

W.P. (MD) No.4002 of 2014
and
M.P (MD) Nos.1 and 2 of 2014

S.Santley Jose

: Petitioner

Vs.

1. Hindustan Petroleum Corporation Ltd (LPG)
rep. by the Chief Regional Manager,
Chennai LPG Regional Office,
Petro Bhavan, 3rd Floor Alwarpet,
Chennai - 18.

2. Hindustan Petroleum Corporation Ltd.,
rep. by the Regional Manager,
Plot No.171-172, SIDCO Industrial Estate,
Kappalur, Madurai - 8.

3. Bibin Gnanakumar

: Respondents

Prayer : This Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus to call for the impugned order dated 25.01.2014 made in appendix - H3R, H1R - 0 on the file of the first respondent and quash the same as illegal and devoid of merits and consequently direct the respondents to select the petitioner as distributor for HPCL gas product at Midalam Gram Panchayat forthwith.

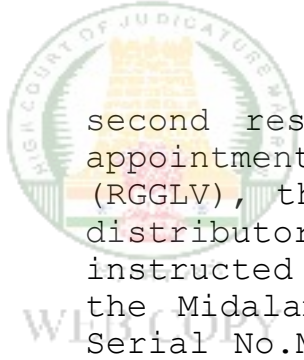
For Petitioner : Mr.S.Palanivelayutham

For Respondents : Mr.TSR.Venkataramana for R1

O R D E R

This writ petition has been filed by the petitioner challenging the impugned order dated 25.01.2014 made in appendix - H3R, H1R - 0 on the file of the first respondent and seeking a direction to the respondents to select the petitioner as distributor for HPCL gas product at Midalam Gram Panchayat forthwith.

2.In response to the advertisement on behalf of the first and



second respondents on 29.05.2013 calling for an application for appointment of distributor under Rajiv Gandhi Gramin LPG Vitrak (RGGLV), the petitioner submitted an application for appointment of distributor under the said scheme along with all necessary copies as instructed by the official respondents in the said application to the Midalam Gram Panchayat, Kanyakumari District vide application Serial No.MID-003 under open category. Draw was held on 25.01.2014 by the first and second respondents and in which, eight persons were declared as eligible candidates including the petitioner. Finally, as per the guidelines, the third respondent was declared as selected candidates subject to the verification. Challenging the said selection of the third respondent, the present writ petition is filed.

3.A detailed counter affidavit has been filed, wherein it is stated that an independent person conducted the draw and the third respondent was selected and his selection was subject to field verification. According to the first and second respondents, the third respondent did not come under eligibility criteria when the field verification was conducted. Even otherwise, it is contended by the first and second respondents that the entire selection was done as per guidelines of the scheme enforced at that point of time.

4.From the above, it could be seen that challenge to the impugned proceedings, dated 25.01.2014, no case is made out in view of the subsequent cancellation of the said proceedings against the third respondent. Moreover, it is also averred in the counter affidavit, which was sworn in August 2015, that redraw is to be conducted very shortly. However, Mr.T.S.R.Venkatraman, learned counsel appearing for the first respondent submitted that no redraw has been done so far.

5.In view of the categorical submissions of the learned counsel appearing for the first respondent, the scheme has been rescheduled and no action has been initiated by the first and second respondents under the scheme, the petitioner has no cause of action to maintain this writ petition.

6.In view of the submission of the learned counsel appearing for the first respondent and in view of the subsequent developments, which is taken place during the pendency of the writ petition, nothing survives in this matter to be adjudicated upon further.

7.Therefore, this Writ Petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (AD-II)

/True Copy/



To

1. The Chief Regional Manager,
Hindustan Petroleum Corporation Ltd (LPG)
Chennai LPG Regional Office,
Petro Bhavan, 3rd Floor Alwarpet,
Chennai - 18.

2. The Regional Manager,
Hindustan Petroleum Corporation Ltd.,
Plot No.171-172, SIDCO Industrial Estate,
Kappalur, Madurai - 8.

+ 1 CC TO Mr.T.S.R.VENKATRAMANA, ADVOCATE IN SR No. 18073

SKN

TE/SV/SAR-II : 06/04/2017 : 3P/4C

Pre-Delivery Order made in
W.P.(MD) No.4002 of 2014 and
M.P(MD)Nos.1 and 2 of 2014
27.03.2017