

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2018
CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.720 of 2018
and
WMP.No.885 of 2018

Krishna Dhayhaalan
Son of Krishnan

.. Petitioner

Vs.

1. Bharath Petroleum
Represented by its Territory Manager
CH LPG J1 - J6
Sipcot New, Gummidipoondi - 601 201.

2. The Deputy Manager
Bharath Petroleum
CH LPG J1 -J6
Sipcot New, Gummidipoondi - 601 201.

3. R.Shivaraj @ Rajan
Son of M.Rathinavel

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to hold an enquiry on the representation made by the petitioner on 07.02.2017, the status of the 3rd respondent as a "Christian" and annul the agency secured by him through fraudulent means.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.M.Vijayan for R1 & R2

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O R D E R

Mr.M.Vijayan, learned counsel takes notice for the respondents 1 and 2. Since this writ petition is being disposed of, without passing any adverse order against the third respondent, notice to the third respondent is dispensed with.

2. The petitioner seeks for a mandamus directing the respondents 1 and 2 to hold an enquiry on the representation made by the petitioner on 07.02.2017, on the status of the third

respondent as a "Christian" and consequently, to annul the agency secured by him, which according to the petitioner is by way of fraudulent means.

3. The grievance of the petitioner is that the third respondent is not a candidate belonging to Scheduled Caste (SC) Community and however, suppressing the fact that he is a Christian, he got the agency from the respondents 1 and 2 under the Scheduled Caste (SC) category. According to the petitioner, the third respondent is not entitled to get the agency under the Scheduled Caste (SC) category.

4. This Court, at this stage, is not expressing any view on the allegations made by the petitioner against the third respondent, as it is for the respondents 1 and 2 to consider and decide the same. It is stated that the petitioner has already made a representation before the respondents 1 and 2 on 07.12.2017, ventilating such grievance and the said representation is still pending. Accordingly, this writ petition is disposed of, only by directing the respondents 1 and 2 to consider the above representation of the petitioner and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the third respondent. Such exercise shall be done by the respondents 1 and 2 within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mk

To

+1cc to Mr.King & Partridge, Advocate, S.R.No.3019

RRK(05/02/2018)

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