

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.31174 of 2012 &

M.P.No.1 of 2012

K.Manikandan

.. Petitioner

Vs.

1.The Senior Regional Manager,
Hindustan Petroleum Corporation Ltd.,
LPG Division, No.82, 3rd Floor,
T.T.K.Road, Alwarpet,
Chennai - 600 018.

2.Gopi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first respondent to conduct enquiry in regarding with conducting the draw for appointment of gas agency for Devikapuram area by perusal of video coverage consequently direct the first respondent to conduct fresh draw for appointment of gas agency for Devikapuram area.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.S.Swaminathan

For M/s.SPAN Associates for R1

Mr.A.K.Sriram

For M/s.A.S.Kailasam & Associates
for R2

O R D E R

Heard Mr.C.Prakasam, learned counsel for the petitioner; Mr.S.Swaminathan, learned counsel, representing M/s.SPAN Associates, for the first respondent; Mr.A.K.Sriram, learned counsel, representing M/s.A.S.Kailasam & Associates, for the second respondent and perused the materials available on record.

2. The petitioner has come forward with this Writ Petition for issuance of Writ of Mandamus, directing the first respondent to conduct enquiry with regard to draw for appointment of gas agency for Devikapuram area by perusal of video coverage and for consequential direction to the first respondent to conduct fresh

draw for appointment of gas agency for Devikapuram area.

3. The learned Standing Counsel for the first respondent and the learned counsel for the second respondent by referring the counter would state that the Clause 12.7 of the Scheme Broucher, relating to Rajiv Gandhi Gramin LPG Vitrak Yojana (RGGLVY) had been strictly followed and that the second respondent had been allotted the GAS Distributorship. The learned counsels would further submit that in a similar Writ Petition No.30435 of 2012, this Court has elaborately considered the issue and eventually it was dismissed on 14.08.2015.

4. The relevant paragraph of the order would run thus:-

"6. In view of the submissions made by the learned counsels appearing on behalf of the parties concerned, and on a perusal of the records available, it is found that the 1st respondent had followed the procedures prescribed in Clause 12.7 of the Scheme Brochure of Rajiv Gandhi Gramin LPG Vitrak Yojana Scheme. Paragraphs 4 to 6 of the counter affidavit filed on behalf of the 1st respondent make it clear that necessary procedures had been followed in the allotment of the Gas Distributorship, to the 2nd respondent. In such circumstances, the allegations made by the petitioner, in the affidavit filed in support of the Writ Petition, cannot be accepted."

5. In the instant case, though a vague plea has been made stating that the first respondent failed to follow due procedure, no supporting materials have been produced and further selection of the second respondent was not challenged so far.

6. Taking note of the above facts and in the light of the order referred supra, I find no merit in the Writ Petition. In that view, the Writ Petition fails and the same is dismissed. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rns

To

The Senior Regional Manager,
Hindustan Petroleum Corporation Ltd.,
LPG Division, No.82, 3rd Floor,
T.T.K.Road, Alwarpet,
Chennai - 600 018.

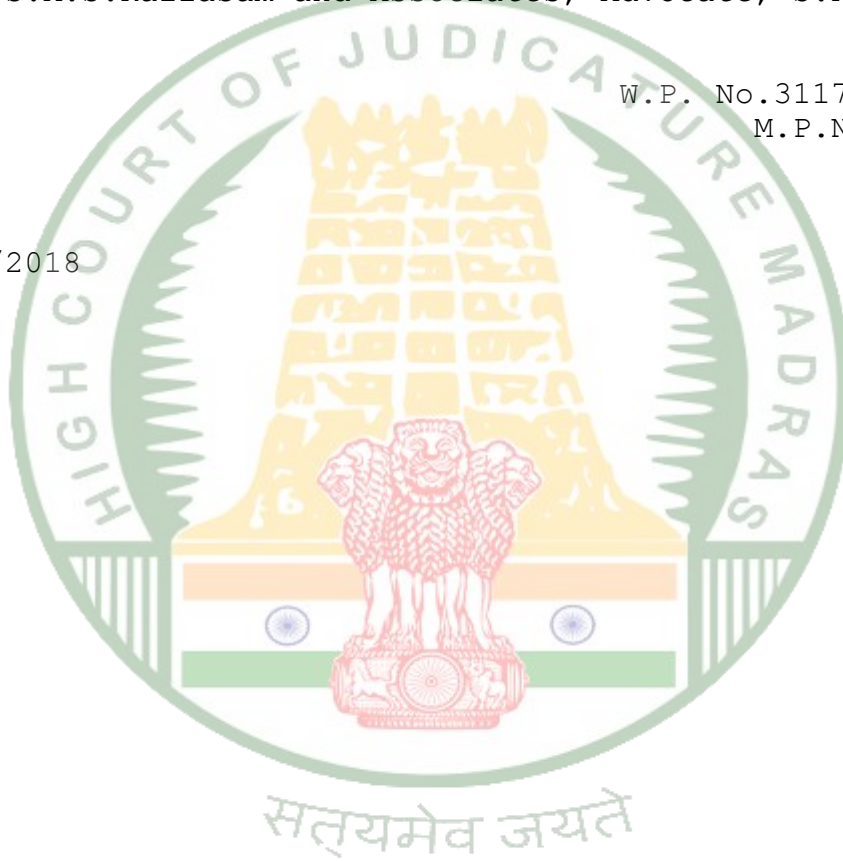
+lcc to M/s.Span Associates, Advocate, S.R.No.74935

+lcc to M/s.A.S.Kailasam and Associates, Advocate, S.R.No.74571

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SR(CO)

rrs 28/11/2018



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