

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7990 of 2018

Sivaranjini
W/o Kumaravel

.. Petitioner

-vs-

The Chief Regional Manager
Hindustan Petroleum Corporation Ltd.,
No.171-172, SIDCO Industrial Estate
Kappalur, Madurai 625 008 .. Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, to call for the records of the impugned order of the respondent passed in Ref.MDLRO/LPG/online Draw-GV dated 17.3.2018 and quash the same, consequently direct the respondent to allot the LPG distributorship to the petitioner at Kanavaipudur, Salem District under open category.

For Petitioner :: Mr.T.Ganesan

For Respondent :: Mr.Abdul Saleem
Standing Counsel

ORDER

This writ petition has been directed against the impugned order dated 17.3.2018, in and by which the Chief Regional Manager of Hindustan Petroleum Corporation Limited, Kappalur, Madurai, the respondent herein has rejected the case of the petitioner for awarding LPG distributorship at Kanavaipudur, Salem District under open category pursuant to the advertisement dated 20.8.2017.

2. Learned counsel for the petitioner submitted that when the respondent called for applications for award of LPG distributorship on 20.8.2017, the petitioner applied for the same under open category and she was also selected as a distributor by the respondent through the drawal of lots conducted on 25.9.2017. Even before conducting the said exercise, the petitioner's husband entered into a tenancy

agreement with one Nagarajan on 4.9.2017 for the godown and with one Deepa for the show room to satisfy the conditions of the respondent. After selection, the petitioner also paid a sum of Rs.40,000/- and only thereafter, the field inspection was conducted. In the meantime, the petitioner also got registered the tenancy agreements on 13.12.2017 and 19.12.2017 and the registration department also issued Document Nos.6452 and 3077 of 2017 respectively. Immediately a representation dated 27.12.2017 was also made to the respondent about the registration of the agreements. However, her claim has been rejected. Therefore, the impugned order is liable to be set aside.

3. But this Court is unable to find any merit in the writ petition. The reason is that when the petitioner has failed to satisfy clause 8A(m) of the terms and conditions by possessing the suitable godown and showroom site as on the date of application i.e., on 25.9.2017, she is not entitled to be considered for the LPG distributorship. The petitioner has admittedly taken a stand in paragraph-3 of the affidavit that she registered the tenancy agreements only on 13.12.2017 and 19.12.2017, which is long after the cut off date viz., 25.9.2017 prescribed in the notification. Therefore, this writ petition is dismissed. Consequently, W.M.P.Nos.9952 & 9953 of 2018 are also dismissed. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

ss

To

1. The Chief Regional Manager
Hindustan Petroleum Corporation Ltd.,
No.171-172, SIDCO Industrial Estate
Kappalur
Madurai 625 008

+1cc to Mr.T.Ganesan, Advocate Sr.No.25527
+1cc to Mr.Abdul Saleem, Advocate Sr.No.26311

sm:20.4.2018

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