

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN

W.P.Nos.22278 to 22281 of 2018

- 1.PNR Transport
Rep by its Proprietor,
P.Nallusamy,
S/o. Palanisamy,
Having office at
No.6/948-B, Paramathi Road,
Namakkal. Petitioner in W.P.No.22278 of 2018
- 2.KRK Transports,
Rep by its Proprietor,
M.K.Mani,
S/o.Kandasamy,
Having office at
No.2-C, Nathamedu Street,
Mavuretti, Paramathi Post,
Paramathivelur Taluk,
Namakkal District. Petitioner in W.P.No.22279 of 2018
3. S.S.Tanker Service,
Rep by its Proprietor,
S. Sundararajan,
S/o. Sellappan,
Having office at
No.84-B3, S.S. Complex,
Trichy Road,
Namakkal - 637 001. Petitioner in W.P.No.22280 of 2018
4. K.Arasu Transport,
Rep by its Managing Partner,
K.Selvaraj,
S/o. Karuppanna Gounder,
Having Office at
No.6/414, Paramathi Road,
N.R.D. Building,
Namakkal - 637 002.Petitioner in W.P.No.22281 of 2018

WEB COPY

Vs

- 1.M/s.Hindustan Petroleum Corporation Limited,
Rep. by its Chief Manager-LPG Distribution,
Hindustan Bhavan, SV Marg,
Ballard Estate,
Mumbai - 400001.
2. The Chief Category Manager (Logistics)
Central Procurement Organisation (Marketing),
Hindustan Petroleum Corporation Ltd.,
9th Floor, Marathon Futurex Building - A wing,
Mafatlal Mills Compound,
N.M.Joshi Marg, Lower Parel,
Mumbai - 400013.
3. The General Manager,
(LPG-Sales & Distribution), (South Zone),
Hindustan Petroleum Corporation Limited,
No.1, Thalamuthu Natarajan Building,
IV Floor, Gandhi Irwin Road,
Egmore, Chennai - 600008. ... Respondents in all W.Ps

PRAYER in W.P.No.22278 of 2018 : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 21.08.2018 by accommodating the petitioner's tanker truck bearing Regn.No. KA-05-AB-5620 which is technically accepted and quoted lowest price band in the Tender No.LPG/BULK/TT/HPC/TN/2018 dated 23.01.2018 under General Category.

PRAYER in W.P.No.22279 of 2018 : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 21.08.2018 by accommodating the petitioner's tanker truck bearing Regn.No. TN-88-Z-4966 which is technically accepted and quoted lowest price band in the Tender No.LPG/BULK/TT/HPC/TN/2018 dated 23.01.2018 under General Category.

PRAYER in W.P.No.22280 of 2018 : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 21.08.2018 by accommodating the petitioner's tanker truck bearing Regn.No. TN-28-AM-2066 which is technically accepted and quoted lowest price band in the Tender No.LPG/BULK/TT/HPC/AP/2018 dated 23.01.2018 under General Category.

PRAYER in W.P.No.22281 of 2018 : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 21.08.2018 by accommodating the petitioner's tanker truck bearing Regn.No. TN-28-AD-2291 which is technically accepted and quoted lowest price band in the Tender No.LPG/BULK/TT/HPC/KA/2018 dated 23.01.2018 under General Category.

In W.P.Nos.22278 & 22279 of 2018

For Petitioners : Mr.P.Wilson, (SC)
for Mr.S.Senthil

In W.P.Nos.22280 & 22281 of 2018

For Petitioners : Mr.A.Thiyagarajan, (SC)
for Mr.S.Senthil

In all W.Ps.

For Respondents : Mr.M.Vijayan,
for M/s.King & Partridge

C O M M O N O R D E R

By consent of both parties, these writ petitions are taken up for final disposal at the admission stage itself.

2. The petitioners have come up with these writ petitions seeking a direction to the respondents to consider the representation of the petitioners dated 21.08.2018 by accommodating the petitioners' tanker trucks bearing Regn.No.KA-05-AB-5620, Regn.No.TN-88-Z-4966, Regn.No.TN-28-AM-2066, Regn.No.TN-28-AD-2291, which are technically accepted and quoted lowest price band in the Tender No.LPG/BULK/TT/HPC/TN/2018 and Tender No.LPG/BULK/TT/HPC/KA/2018 dated 23.01.2018 under General Category.

3. According to the learned senior counsel for the petitioners, the petitioners have submitted a representation claiming the same relief as prayed for in these writ petitions, but, the said representation is yet to be disposed of by the respondents. However, the learned senior counsel submitted that it would suffice, if the representation dated 21.08.2018 made by the petitioners, is directed to be considered by the respondents, on merits.

4. Mr.M.Vijayan, learned counsel who takes notice for the respondents, submitted that the third respondent may be directed

to consider the petitioners' representation dated 21.08.2018 and pass orders in accordance with law.

5. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in these writ petitions, this Court directs the third respondent to consider the petitioners' representation dated 21.08.2018 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioners as well as any of the interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-V)

//True copy//

Sub Assistant Registrar

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To

- 1.The Chief Manager-LPG Distribution,
M/s.Hindustan Petroleum Corporation Limited,
Hindustan Bhavan, SV Marg,
Ballard Estate,
Mumbai - 400001.
2. The Chief Category Manager (Logistics),
Central Procurement Organisation (Marketing),
Hindustan Petroleum Corporation Ltd.,
9th Floor, Marathon Futurex Building - A wing,
Mafatlal Mills Compound,
N.M.Joshi Marg, Lower Parel,
Mumbai - 400013.
3. The General Manager,
(LPG-Sales & Distribution), (South Zone),
Hindustan Petroleum Corporation Limited,
No.1, Thalamuthu Natarajan Building,
IV Floor, Gandhi Irwin Road,
Egmore, Chennai - 600008.

+4cc to Mr.S. Senthil, Advocate SR.No.59694 to 59697

+4cc to Mr.King and Pratrige*, Advocate SR.No.59385 to 59388

W.P.Nos.22278 to 22281 of 2018

GMV (05/09/2018)