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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.37039 of 2016
and W.M.P.No.31841 of 2016

P.Gnanavel

..Petitioner

Vs

1.The Senior Area Manager,
Indian Oil Corporation Ltd.,
Indane Area Office,
No.8/1079, Avinashi Road,
Coimbatore - 641 108.

2.Union of India,
Rep.by its Secretary,
Ministry of Petroleum and Natural Gas,
Shastribhawan, New Delhi.

.. Respondents

Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a writ of certiorarified mandamus, to call for the letter vide IOC/CBE.AO/IMP 2013-14/KVP, Dated 08.08.2016 of the 1st respondent, quash the same and direct the respondents to process the award of distributorship to the petitioner as per the proceeding CBEAO:IMP:2013-14:FVC, dated 01.03.2014 to issue the Letter of Intend to the petitioner.

For Petitioner : Mr.V.Manohar

For Respondents: Mr.Mohammed Fayaz Ali for R1
Mr.J.Madhana Gopal Rao
SCGC for R2

O R D E R

The prayer sought for in this writ petitioner is to quash the letter dated 08.08.2016 issued by the first respondent and for consequential relief.

2. It is the case of the petitioner that the second respondent vide notification dated 21.09.2013, invited applications for LPG distributorship for various locations in Tamil Nadu and the petitioner has applied for the same. The first respondent vide proceedings bearing No.CBEAO:IMP:2013-14:FVC, dated 01.03.2014, selected the petitioner for awarding Regular LPG Distributorship at Kaveripattinam, Krishnagiri under



Open(GP) category and also directed him to pay 10% security deposit towards fee for Field Verification of Credentials (FVC). Accordingly, the petitioner paid the security deposit, pursuant to which, FVC was conducted on 14.04.2014. However, the first respondent, vide proceedings dated 08.08.2016, rejected the claim of the petitioner on the ground that his show room does not fall within the advertised location i.e., Kaveripattinam. Challenging the same, the petitioner is before this Court.

3. However, when the matter is taken up for hearing, the learned counsel appearing for the respondents submitted that the respondents would consider the claim of the petitioner on merits, if the petitioner produces the required documents to the effect that his show room is falling within the territorial limits of Kaveripattinam.

4. Considering the facts and circumstances of the case, this Court without going into the merits of the case, directs the respondents to consider the claim of the petitioner and pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as any other interested parties, within a period of six weeks from the date of receipt of a copy of this order. The petitioner is at liberty to produce the required documents, to substantiate his claim, to the respondents at the time of enquiry.

5. With the above direction, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CS-IX)

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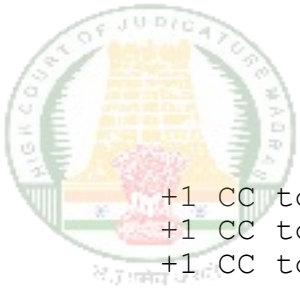
Sub-Assistant Registrar

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To

1. The Senior Area Manager,
Indian Oil Corporation Ltd.,
Indane Area Office,
No.8/1079, Avinashi Road,
Coimbatore - 641 108.

2. Union of India,
Rep. by its Secretary,
Ministry of Petroleum and Natural Gas,
Shastribhawan, New Delhi.



+1 CC to Mr.V. Manohar, Advocate sr 67542.
+1 CC to Mr.J. Madana Gopal Rao, Advocate sr 67016.
+1 CC to Mohamed Fayaz, Advocate sr 67265

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CA (CO)
SP (12/10/2018)