

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2018

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WP. No.1065 of 2014

M.Indra

... Petitioner

Vs

- 1.Chief Regional Manager,
Chennai LPG RO,
Hindustan Petroleum Coporation Ltd,
Petro Bhavan, 3rd Flor,
New No.82, Old No.47,
T.T.K. Road, Alwarpet,
Chennai - 600 018.
- 2.Chairman and Managing Director,
Hindustan Petroleum Corporation Limited,
17, Jamshidji Tata Road,
Mumbai - 400 020.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for an issuance of Writ of Certiorari, to call for the records of the 1st respondent made in his proceedings No.nil published in the English new daily The Hindu dated 21.09.2013 and quash the same in so far as item No.126 of the notice/advertisement with reference to the area of operation being Rajapalayam East.

For Petitioner: Mr.S.Silambannan Senior Counsel
for M/S.Profexs Associates

For Respondents : Mr.O.R.Santhanakrishnan

ORDER

The Writ Petition has been filed by the petitioner challenging the notice issued by the respondent/HPCL for awarding LPG dealership.

2. The grievance of the petitioner is that she is the existing dealer of Hindustan Petroleum Corporation Limited (HPCL) for "H.P.Gas" (Liquefied Petroleum Gas) in respect of Sivakasi and Rajapalayam. Now, she is supplying LPG. Now, by virtue of the impugned notice calling for applications for

distributorship, the petitioner apprehends that this would affect the business. Hence the present petition has been filed by the petitioner.

3. First of all, the petitioner only a existing dealer under the respondent, and she cannot challenge the notification issued by the respondent Corporation as there is no prohibition for the respondent corporation to call for applications for fresh dealership and the petitioner cannot claim she can only monopolize the dealership in the existing areas. After awarding a fresh dealership if the petitioner rights are affected, it is always open to her to approach the authorities for redressal of her grievance and the petitioner cannot challenge the notification calling for dealership.

4. In the above circumstances, there is no merit in the Writ Petition and the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.Chief Regional Manager,
Chennai LPG RO,
Hindustan Petroleum Coporation Ltd,
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+1cc to Mr.O.R.Santhanakrishnan, Advocate, S.R.No.81804

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NMI (CO)
GSP(04/02/2019)