

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2018

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.17110 of 2018

M.C.Meyyappan@Manickam

.. Petitioner

Vs

1.The Inspector General of Registration,
100, Santhome High Road,
Mylapore, Chennai - 600 028.

2.The Sub Registrar,
Pammal Sub Registrar Office,
Pammal, Chennai 600 075.
Kancheepuram District.

3.The Deputy General Manager (LPG Sales),
Indian Oil Corporation Limited,
Indane Chennai Area Office,
500, Anna Salai, Teynampet,
Chennai - 600 018.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the second respondent to forthwith register the petitioner's rectification deed dated 05.07.2018 and consequently direct the third respondent to extend for a further period of two weeks from 07.07.2018 to submit petitioner's lease deed.

For petitioner : Mr.D.Selvam
for M/S.P.Krishnan,

For R1 & R2 : Mr.T.M.Pappiah, Spl.GP

For R3 : Mr.Mohammed FayazAli,
Standing Counsel

O R D E R

Mr.M.C.Meyyappan @ Manickam, who has been selected as successful candidate in the draw of lots conducted on 13.06.2018 at 14.:15 hrs. for selection of LPG Distributor, has filed this writ petition seeking for issuance of a writ of mandamus to direct the second respondent / the Sub Registrar, Pammal,

Chennai, to forthwith register the petitioner's rectification deed dated 05.07.2018 and consequently to direct the third respondent to extend for a further period of two weeks from 07.07.2018 to submit his lease deed.

2. Learned counsel for the petitioner fairly submitted that the first part of the prayer seeking a direction to the second respondent to register his rectification deed dated 05.07.2018 has been duly complied with by the second respondent making it clear that the said lease deed is valid for a period of 15 years, instead of 11 months. Therefore, now, the third respondent has to give two more weeks time to submit his lease deed. It is further submitted that when a lease deed was prepared for a period of 15 years, it was wrongly mentioned as 11 months. After seeing this defect, the third respondent, vide his letter dated 28.06.2018, informed the petitioner that the said lease deed was not in consonance with the Unified Guidelines for Selection of LPG Distributorship-June 2017. Since the said mistake has occurred inadvertently, the petitioner has approached the second respondent and moved a rectification deed and thereafter, the second respondent also registered the rectification deed on 04.07.2018, whereby it is stated that the lease is valid for a period of 15 years from the date of the advertisement. Therefore, it is pleaded, in view of registration of rectification deed dated 04.07.2018, now, the petitioner has to submit all the documents before the third respondent, however, as the time for furnishing of the lease deed stood expired on 06.07.2018, a direction may be given to the third respondent to grant two more weeks time for submission of lease deed.

3. Learned counsel for the third respondent submitted that the petitioner may be permitted to submit a copy of the lease deed to the third respondent within a period of two weeks and thereafter, on receipt of the same, third respondent would consider his claim on merits.

4. It is seen that the third respondent/Deputy General Manager (LPG-Sales), Chennai Area Office, Indian Oil Corporation, in his letter dated 14.06.2018, has declared the petitioner as successful candidate in the draw of lots conducted on 13.06.2018 at 14:15 hrs. for selection of LPG Distributor, therefore, this Court finds no impediment to direct the third respondent to accept the rectification deed dated 05.07.2018 of the petitioner.

5. Accordingly, the petitioner is hereby directed to submit the rectification deed dated 05.07.2018 to the third respondent and on receipt of the same, the third respondent is directed to consider his claim within a period of two weeks thereafter on merits, as he has succeeded in the draw of lots. With this direction, the writ petition is disposed of. No Costs.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

rkm
To

- 1.The Inspector General of Registration,
100, Santhome High Road,
Mylapore, Chennai - 600 028.
- 2.The Sub Registrar,
Pammal Sub Registrar Office,
Pammal, Chennai 600 075.
Kancheepuram District.

+1cc to Mr.MOHAMMED FAYZ ALI, Advocate, S.R.No.44495
+1cc to Mr.P.KRISHNAN, Advocate, S.R.No.44875

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NMI (CO)
TR(10/07/2018)

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