

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2019

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.36045 of 2005
and W.P.M.P.No.38881 of 2005

D.Madavan

..Petitioner

Vs

1.The Union of India,
Rep.by its Secretary,
Ministry of Petroleum and Natural Gas,
New Delhi -1.

2.The Indian Oil Corporation Ltd.,
Rep.by Chief Divisional Retail Sales Manager,
No.500, Anna Salai,
Teynampet, Chennai - 18.

3.C.Mugilan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking issuance of a writ of declaration, declaring the interview dated 2.5.2005 to 5.5.2005 and the mark list dated 5.5.2005 by the Selection Committee of the 2nd respondent herein, the Indian Oil Corporation Limited, Rep.by Chief Divisional Retail Sales Manager, No.500, Anna Salai, Teynampet, Chennai -18, regarding the allotment of petrol bunk to the 3rd respondent herein S.Mugilan as null and void and consequently to allot the same to the petitioner herein in MKB Nagar, Chennai District under SC category.

For Petitioner : Mr.M.Kempraj

For Respondents : Mr.K.Balasubramanian for R1

Mr.Abdul Saleem

for M/s.AnandAbdul& Vinoth Associates
for R2

Mr.V.Ravi for R3

O R D E R

Heard the learned counsel for the petitioner, the learned counsel for the respondents and perused the materials available on record.

2. This writ petition has been filed for issuance of writ of declaration, to declare the interview dated 2.5.2005 to 5.5.2005 and mark list dated 5.5.2005 issued by the Selection Committee of the second respondent, regarding the allotment of petrol bunk to the third respondent as null and void and consequently to allot the same to the petitioner.

3. According to the petitioner, on 21.12.2003, the second respondent gave an advertisement for appointment of retail outlet dealers. In pursuance of the advertisement, the petitioner applied for the same and attended interview on 03.05.2005. Aggrieved over the allotment marks, this writ petition has been filed for the relief stated supra.

4. In the counter filed by the second respondent, it has been stated that pursuant to the selection process, the third respondent herein was selected as a dealer and a letter of appointment was issued to him on 30.12.2005. It is further stated that the comparative merits in the selection process cannot be subjected to judicial scrutiny as the selection is done by the experts in that field.

5. Taking note of the above fact that the third respondent has already been selected as a dealer in pursuance of the interview dated 02.05.2005 to 05.05.2005, I am of the considered opinion that the prayer sought for in this writ petition cannot be maintained. In fine, the writ petition fails and the same is dismissed. No costs. If the petitioner is aggrieved over the selection of the third respondent, he is at liberty to challenge the same in the manner known to law. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

ms

To

1.The Secretary,
The Union of India,
Ministry of Petroleum and Natural Gas,
New Delhi -1.

WEB COPY

2.The Chief Divisional Retail Sales Manager,
The Indian Oil Corporation Ltd.,
No.500, Anna Salai,
Teynampet, Chennai - 18.

+1cc to Mr.M.Kempuraj Advocate, S.R.No.60452

+1cc to Mr.AnandAbdul& Vinoth Associates Advocate, S.R.No.60598

+1cc to Mr.V.Ravi Advocate, S.R.No. 60610

VSNII(CO)

CB(12/09/2019)

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and

W.P.M.P.No.38881 of 2005



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