

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2019

CORAM:

THE HONOURABLE Mr. JUSTICE C.V.KARTHIKEYAN

W.P. No. 32753 of 2019
and
W.M.P.No.33178 of 2019

R.Jeyamala

... Petitioner

-Vs-

Head of Regional Office
Coimbatore Retail Regional Office
Hindustan Petroleum Corporation Limited
"HP House",
No.18/3, Big Bazar Street,
Coimbatore - 641 001.

... Respondent

Prayer : Petition filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Certiorarified Mandamus call for the records leading to the passing of the Impugned Order passed by the respondent dated 05.11.2019 in REF No.15455794444138 and quash the same and consequently direct the respondent to allot the retail outlet dealership at Pattavayal to Ayyankolly in Nilgiris District pursuant to the website notification issued by the respondent.

For Petitioner : Mr. A.Arunbabu

For Respondent : Mr.M.Vijayan
for M/s.King and Partridge

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O R D E R

The prayer sought for herein is for a Writ of Certiorarified Mandamus call for the records leading to the passing of the Impugned Order passed by the respondent dated 05.11.2019 in REF No.15455794444138 and quash the same and consequently direct the respondent to allot the retail outlet dealership at Pattavayal to Ayyankolly in Nilgiris District pursuant to the website notification issued by the respondent.

2. The respondent had rejected the claim of the petitioner herein after initial selection and also after accepting initial security deposit. The application for award of Retail Outlet dealership at Pattavayal to Ayyankolly District Nilgiris under SC category was advertised on 25.11.2018. The petitioner also submitted an Application and in reply to the same, Hindustan Petroleum Corporation Limited had issued an order, dated 05.11.2019, wherein it is stated that "This is to inform you that the Land Evaluation Committee visited the site offered by you on 24th October 2019 and found the same to be not meeting the required norms as detailed below:

- Land was found to be outside the advertised stretch during LEC".

3. The petitioner had obtained a certificate from the Revenue Officer, Serampadi village, stating that the land falls within the advertised area. Since the petitioner had complied with the conditions mentioned in the advertisement, without going deeply into the merits of the case, the Writ Petition is allowed and the order dated, 05.11.2019 is quashed.

4. The respondents are directed to allot the retail outlet dealership at Pattavayal to Ayyankolly in Nilgiris District to the petitioner herein on or before 07.01.2020.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

Head of Regional Office
Coimbatore Retail Regional Office
Hindustan Petroleum Corporation Limited
"HP House",
No.18/3, Big Bazar Street,
Coimbatore - 641 001.

+1cc to Mr.A.Arunbabu, Advocate Sr.102903
+1cc to M/s.King & Partridge, Advocate Sr.102787

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srg 07/02/2020