

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. No.25260 of 2018

and

W.M.P. No.29368 of 2018

T.Sugany

...Petitioner

Vs.

Territory Manager (LPG), Tanjore,
Bharat Petroleum Corporation Ltd.,
LPG Filling Plant,
MGM T Sanatorium Post,
Sengipatti, Thanjavur 613 401.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the Respondent in TNJ:LPG:GV (VILAGAM) dated 04.01.2018 rejecting the candidature of the Petitioner and quash the same and consequently direct the Respondent to allot the LPG distributorship at Vilagam locality of Chidambaram Taluk, Cuddalore District to the Petitioner.

For Petitioner : Mr.J.Titus Enock

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

O R D E R

The application made by the Petitioner for award of Gramin Vitarak at Vilagam Village in Cuddalore District was rejected by the Respondent by order in No TNJ:LPG:GV (VILAGAM) dated 04.01.2018 on the ground that during field verification, it was noticed that the property offered by the Petitioner for the LPG outlet was not situated within the advertised location, i.e., Vilagam Village, and it is in T. Pudhur Village. The Writ Petition has been filed on 18.09.2018 challenging the aforesaid rejection of her candidature.

2. Learned Counsel appearing for the Respondent, on instructions, states that after the impugned order was passed on 04.01.2018, re-draw was conducted on 10.04.2018 and Letter of Intent (LOI) has been issued to the successful candidate on

12.07.2018, even before the present Writ Petition has been filed. It is further informed that the LPG retail outlet has been commissioned in the location on 24.01.2019.

3. It is not disputed by the Petitioner that the land offered by her is not situated at the advertised location at Vilagam Village. That apart, the Respondent has already acted upon the impugned order by conducting re-draw and has awarded the contract to another person creating third party rights even before the Writ Petition has been filed. In such circumstances, there does not appear to be any justification to entertain the Writ Petition, which lacks merit and suffers from laches.

4. Accordingly, the Writ Petition is dismissed. Consequently, connected Miscellaneous Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

rkp/ebsi

To

Territory Manager (LPG), Tanjore,
Bharat Petroleum Corporation Ltd.,
LPG Filling Plant,
MGM T Sanatorium Post,
Sengipatti, Thanjavur 613 401.

+1cc to Mr.J.Titus Enock, Advocate SR.No. 67977

+1cc to M/s.KING AND PARTRIDGE, Advocate SR.No. 68496

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BS (CO)
A.SK(21/08/2019)

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