



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 8271 of 2018

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Gurumoorthi Kamaraj

... Petitioner

Vs.

1. The Deputy General Manager (LPG-S),
Indian Oil Corporation Ltd.,
Marketing Division,
Southern Region, Indian Oil Bhavan,
No.139, Mahatma Gandhi Road,
(Nungambakkam High Road),
Chennai.

2. The Chief Area Manager (LPG-S),
Indian Oil Corporation Ltd.,
Indane Area Office,
No.2, Race Course Road,
Chokkikulam, Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to issue Commissioning letter to the petitioner to run LPG distributorship under S.C. Category in Ramanathapuram District by considering his representation dated 29.09.2017.

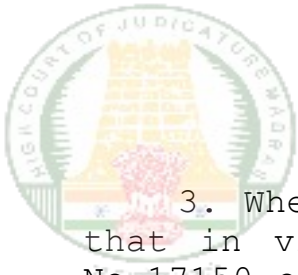
For Petitioner : Shri.Parthasarathy Senior counsel for
M/s.R.Gandhi

For Respondents : Shri.Parthasarathy,
for Mr.K.Muraleedharan

O R D E R

Heard the learned counsel appearing for the Writ petitioner and the learned Senior counsel appearing for the respondents.

2. The Writ petitioner submitted an application dated 22.10.2013 for appointing her as an L.P.G. Distributor. The petitioner applied under the S.C. category for an area in Ramanathapuram District. The respondent Corporation passed an order dated 08.08.2016 awarding the distributorship in favour of the Writ petitioner. But then, commissioning letter was not issued to the Writ petitioner. Therefore, the Writ petitioner was constrained to file this Writ petition.



3. When the matter was taken up for hearing, it was submitted that in view of the Status Quo order granted in W.P.(MD) No.17150 of 2016, the petitioner has not been issued commissioning letter till date.

4. I went through the order dated 09.09.2016 made in W.M.P. (MD) Nos.12435 and 12436 of 2016 in W.P.(MD) No.17150 of 2016. It is seen that the applicant therein sought awarding of L.P.G. Distributorship only under the open category. The outcome of W.P. (MD) No.17150 of 2016 will not have any bearing on the Writ petitioner's rights. Therefore, the respondents need not feel discouraged by the order granting Status Quo in the other Writ petition filed by Thiru.S.Rajesh Kanna. Therefore, the respondents are directed to issue Letter of Appointment(L.O.A.) to the Writ petitioner to run the Distributorship. Such a letter will be issued within a period of two weeks from the date of receipt of a copy of this order, subject to the fulfillment of all other formalities.

5. The Writ petition stands allowed, accordingly. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Deputy General Manager (LPG-S),
Indian Oil Corporation Ltd.,
Marketing Division,
Southern Region, Indian Oil Bhavan,
No.139, Mahatma Gandhi Road,
(Nungambakkam High Road),
Chennai.

2. The Chief Area Manager(LPG-S),
Indian Oil Corporation Ltd.,
Indane Area Office,
No.2, Rajarajeshwari Course Road,
Chokkikulam, Madurai.



+1 CC to M/s.R.GANDHI, Advocate (SR-52568[F] dated 08/03/2019)

+1 CC to M/s.K.MURALEEDHARAN, Advocate (SR-52785[F] dated 08/03/2019)

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