

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Sixteenth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.SUNDAR

WP (MD) No.19767 of 2019

and

WMP (MD) .NO.16257 of 2019

K.PALANISAMY

... PETITIONER

Vs

1 THE CHIEF REGIONAL MANAGER,
MADURAI REGIONAL OFFICE,
HINDUSTAN PETROLEUM CORPORATION LTD,
MADURAI.

2 NAGASUNDARI

... RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue an order or writ more particularly in the nature of Writ of declaration declaring the selection of the 2nd respondent as a successful candidate for LPG Distributorship for pushpathur panchayat, dindigul District under SC Category as null and void.

Prayer in WMP(MD) . 16257/ 2019 :

to pass an order of INTERIM INJUNCTION restraining the 1st respondent from granting any permission or letter of indent to the 2nd respondent for running LPG Distributorship for pushpathur panchayat, Dindigul District under SC Category pending disposal of the writ petition and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.J.ANANDKUMAR, Advocate for the petitioner and of MR.M.SRIDHER, Standing Counsel for R1, the court made the following order:-

Mr.J.Anandkumar, learned counsel on record for writ petitioner is before this Court.

2.Subject matter of instant Writ Petition pertains to Liquified Petroleum Gas (hereinafter 'LPG' for brevity) distributorship of
<https://hcservices.ecourts.gov.in/hcservices/>

Hindustan Petroleum Corporation Limited (hereinafter 'HPCL' for brevity) for Pushpathur Panchayat in Dindigul District under SC category.

3.To be noted, this is the second round of litigation at the instance of writ petitioner and the earlier Writ Petition was dismissed on 04.04.2019 by a Honourable Single Judge and the earlier Writ Petition is W.P(MD)No.22136 of 2017. It is submitted that an appeal was preferred against this order, ie., intra Court appeal vide W.A(MD)SR.No.50578 of 2019 dated 08.07.2019, but it is now submitted that writ petitioner is not pursuing the same and is giving legal quietus to the earlier order of the Honourable Single Judge.

4.This is the second round of litigation pertains to a re-draw on 28.08.2019. It is the specific case of writ petitioner that the second respondent (private respondent) did not participate in the re-draw, but has been given letter of intent in the distributorship.

5.Mr.M.Sridher, learned Standing Counsel, who accepts notice on behalf of first respondent (HPCL) submits that the second respondent did participate and seeks time to produce the records. Learned Standing Counsel further submits that letter of intent has been given to the second respondent on 29.08.2019 and further processing of document is underway, but has not been concluded and crystallised into award of distributorship as on today.

6.Therefore, there shall be an interim order directing the first respondent to keep the letter of intent given in favour of second respondent on 29.08.2019 and all further proceedings pursuant to the same in abeyance till the next listing, which will be on 24.09.2019.

7.In the interregnum, notice to private respondent ie., respondent No.2. Writ Petitioner is permitted to take out private notice. It is made clear that at the moment limited issue is regarding HPCL and re-draw on 29.08.2019, but notice is ordered to second respondent only for complete adjudication.

8.List on 24.09.2019.

sd/-
16/09/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

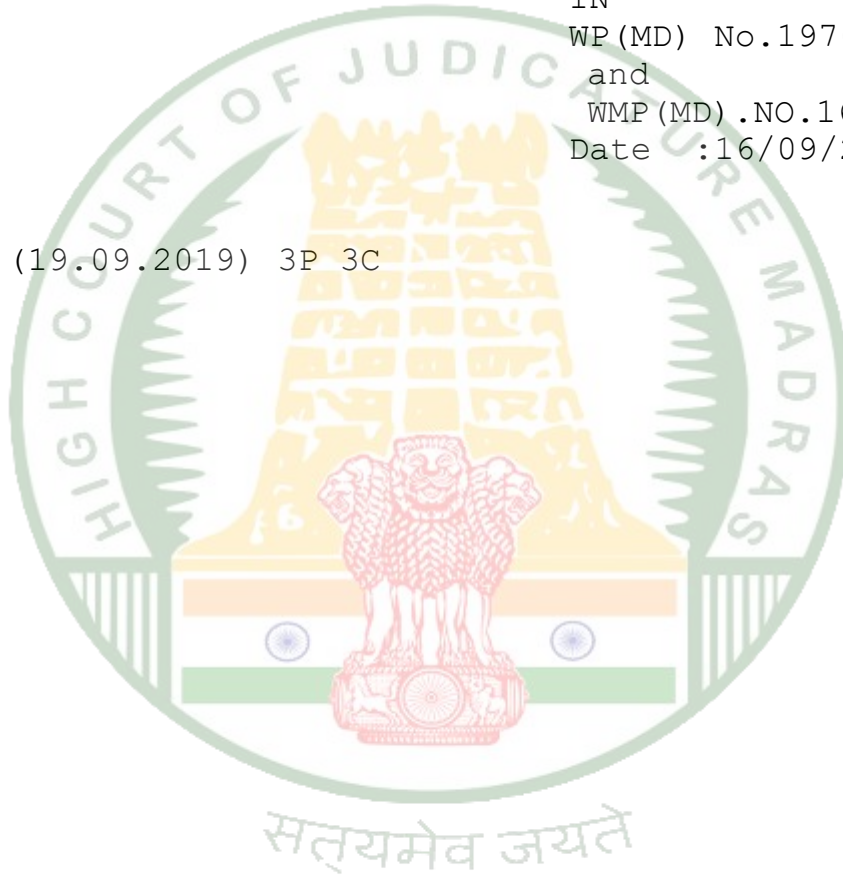
TO

THE CHIEF REGIONAL MANAGER,
MADURAI REGIONAL OFFICE,
HINDUSTAN PETROLEUM CORPORATION LTD,
MADURAI.

+1. C.C. to M/S.J.ANANDKUMAR Advocate SR.No.15522

ORDER
IN
WP(MD) No.19767 of 2019
and
WMP(MD).NO.16257 of 2019
Date :16/09/2019

ps
AE/JC/SAR-II (19.09.2019) 3P 3C



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