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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.01.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.924 of 2020

S.Sivasubramanian

.. Petitioner

..Vs..

1. The General Director (Retail Sales),
IOCL, G-9, Ali Yawar Jung Marg,
Bandra (East), Mumbai - 400 051.
2. The Executive Director,
IOCL, Indian Oil Bhavan,
Tamil Nadu Circle Office,
139, Mahatma Gandhi Road,
Nungambakkam,
Chennai - 600 034.
3. The Senior Divisional Retail sales Officer,
IOCL, Chennai Division,
500, Anna Salai, Teynampet,
Chennai - 600 018.

..Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st and 2nd respondents to consider the petitioner's application for issuing the letter of intent and appointment to the petitioner herein for the retail outlet dealership at Unnai Vaniyambadi to Narayanapuram, Anaicut Taluk, Vellore District.

For Petitioner : Mr.T.Sundaravadanam
For Respondents : Mr.Mohamed Fyaz Ali
Standing counsel

O R D E R

The writ petition is straight away disposed of, since the grievance of the petitioner is that he had applied for dealership at Unnai Vaniyambadi Village, Anaicut taluk, Vellore District under the respondents Indian Oil Corporation Limited.

2. The petitioner stands in serial number 2 in the list for appointment of Retail Outlet Dealerships list. The person who stands in serial No.1 namely GG Shathshith E Gangadaran had



given as survey number in his application land abutting the main road. On field verification, it was found that the land in the particular survey number was not abutting the main road. But, in his Sale Deed, there are two other survey numbers along with the survey number already given in the application number, and those lands, about the road.

3. The learned counsel who had taken notice for the respondents states that the respondents are in the process of finalising the dealership and proceeding further with the application of GG Shathshith E Gangadaran treating it as a rectifiable mistake. Statement is made at the bar that if they finally reject the application for any other reason, naturally they would consider the application of the present petitioner.

4. In view of the above, this Court is of the opinion that a mandamus in this regard is not strictly required since it is stated that the respondents would take up the application of the petitioner automatically as he stands in serial no.2 if finally they reject the application of GG Shathshith E Gangadaran.

5. The learned counsel for the petitioner placed reliance on the reply given to a question raised under Right to Information Act. But it has been clarified by the learned counsel for the respondents that they have taken only interim measures, but they have not finally rejected the application of GG Shathshith E Gangadaran.

6. With the above observation, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vum

To

1. The General Director (Retail Sales),
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3. The Senior Divisional Retail sales Officer,
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500, Anna Salai, Teynampet,
Chennai - 600 018.

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+1cc to Mr.T.Sundaravadanam, Advocate, S.R.No. 3423
+1cc to Mr.Mohammed Fayaz, Advocate, S.R.No. 3698

W.P.No.924 of 2020

VBA (CO)
GN (26/02/2020)