

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2020

C O R A M

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.NO.17118 OF 2014

V.Thangavel

... Petitioner

Vs.

Bharat Petroleum Corporation Limited,
Represented by its member,
LPG-Distributor Selection Cell (TN),
No.1, Ranganathan Gardens,
11th Main Road,
Anna Nagar, Chennai - 600 040.

... Respondent

PRAYER:

Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus to call for the records relating to the order passed by the respondent dated 28.03.2014 ref.No.TN/CBE/SA2/059/complaints to quash the same and consequently direct the respondent to grant of dealership of LPG on my application submitted in No.TN/CBE/SA1/003 (complaint TN/CBE/SA2/059).

For Petitioner : Mr.N.Vijaya Baskar

O R D E R

The instant writ petition has been filed challenging the order dated 28.03.2014 passed by the respondent rejecting the application of the petitioner for LPG distributorship on the ground that the land offered by the petitioner for the showroom is not in the advertised location.

2. It is the case of the petitioner that he applied for LPG distributorship at Salem, pursuant to the advertisement given by the respondent in the tamil daily "Dinakaran" on 21.09.2013. It is his case that he satisfied all the requirements for LPG distributorship as required under the notification. However, it is the case of the petitioner that by total non application of mind, the respondent has rejected the application of the petitioner on the ground that the land offered by the petitioner

for LPG showroom is not in the advertised location.

3. The notification was issued in the tamil daily "Dinakaran" on 21.09.2013. We are now in the year 2020; almost 7 years has elapsed from the date of calling for eligible persons to apply for LPG distributorship. The respondent have considered the documents submitted by the petitioner along with his application for LPG distributorship and they would have also inspected the petitioner's premises which was offered for LPG distributorship before coming to the conclusion that the land offered by the petitioner for LPG showroom is not in the advertised location.

4. Eventhough, the learned counsel would vehemently contend that the petitioner's land is at Kannankurichi Village, Salem, it is for the respondent to decide the locational advantage for having the LPG showroom. The respondent would have thought it fit that the land offered by the petitioner may not have the locational advantage and hence, would have decided to reject the application. All these factors cannot be looked into by this court under Article 226 of the Constitution of India.

5. This court is of the considered view that there is no merit in this writ petition. Accordingly, this writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

Bharat Petroleum Corporation Limited,
Represented by its member,
LPG-Distributor Selection Cell (TN),
No.1, Ranganathan Gardens,
11th Main Road, Anna Nagar, Chennai - 600 040.

+1cc to M/S.Law Vision, Advocate, S.R.No.1884

W.P.No.17118 of 2014

VSNII(CO)
CS/19/02/2020