



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No. 35263 of 2015
and
M.P. Nos. 1 & 2 of 2015
&
W.M.P. No. 12320 of 2016

K.Sezhiyan

... Petitioner

Vs.

1. Territory Manager (Retail)
Bharat Petroleum Corporation Ltd.
35, Vaidyanathan Street
P.B. No. 1152
Tondiarpet
Chennai - 600 081.
2. The General Manager
Southern Region
Bharat Petroleum Corporation Ltd.
No.1, Ranganathan Gardens
11th Main Road, Anna Nagar
Chennai.
3. Bharat Petroleum Corporation Ltd.
Bharat Bhavan
4 and 6, Currimbhoy Road
Ballard Estate
P.B.No. 688
Mumbai - 400 001.
4. The Selection Committee
Rep. by its Chairman
Bharat Petroleum Corporation Ltd.
35, Vaidyanathan Street
P.B., No. 1152, Tondiarpet
Chennai - 600 081.
5. K.Vasuki

... Respondents



WEB COPY

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the first respondent comprised in the order dated 07.02.2013 made in M.LOI, granting letter of intent for the retail outlet dealership at Orathur, Cuddalore District to the fifth respondent herein and quash the same and consequently, direct the first respondent herein to award the retail outlet dealership as notified on 16.03.2012 in Sl. No. 212 alone is concerned to the petitioner by assigning marks to the petitioner in the given category as per the certificates produced by the petitioner for selection of Bharat Petroleum retail outlet under the notification dated 16.03.2012 or, alternatively to issue a fresh notification for selection of retail outlet dealership at Orathur, Cuddalore district.

For Petitioner : Mr. R.Gopinath

For Respondents : Mr. M.Vijayan
For M/s. King and Patridge
(For R1 to R4)

Mr. Veeramani
For Mr. R.Chakkravarthy (For R5)

O R D E R

Learned Counsel appearing for the respondents-Bharat Petroleum Corporation Limited made a submission that the letter of intent was granted in favour of the fifth respondent in the year 2013.

2. The relief sought for in the writ petition by the writ petitioner is to award the retail outlet, pursuant to the notification dated 16.03.2012.

3. However, on account of efflux of time, the relief as such sought for in the writ petition cannot be granted. Further, the letter of intent was already granted in favour of the fifth respondent in the year 2013 itself. This being the factum, the cause arose during the relevant point of time for the purpose of filing the writ petition did not exist as of now.



WEB COPY

4. In view of that, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

Maya

To

1. Territory Manager (Retail)
Bharat Petroleum Corporation Ltd.
35, Vaidyanathan Street
P.B. No. 1152
Tondiarpet
Chennai - 600 081.
2. The General Manager
Southern Region
Bharat Petroleum Corporation Ltd.
No.1, Ranganathan Gardens
11th Main Road, Anna Nagar
Chennai.
4. The Chairman
The Selection Committee
Bharat Petroleum Corporation Ltd.
35, Vaidyanathan Street
P.B., No. 1152, Tondiarpet
Chennai - 600 081.

+1cc to M/s.R.Gopinath, Advocate, S.R.No.53470

+1cc to M/s.King & Partridge, Advocate, S.R.No.52717

+1cc to M/s.R.Chakkaravarthy, S.R.No.52692

W.P. No. 35263 of 2015

KSM(CO)
SU(02/11/2021)