



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21-09-2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP Nos.27201 and 27209 of 2016

And

WMP No.25554 of 2016

Mr.L.Kumaraguru

..
Petitioner in both WPs

vs.

The District Collector,
District Collector Office,
Vellore District,
Vellore - 632 009,
Tamil Nadu.

R-1 in both WPs

..

Personal Assistant of District Collector,
Land Department,
Vellore.

R-2 in WP 27201/2016

..

The Taluk Officer,
O/o.The Taluk,
Vellore.

R-3 in WP 27201/2016

..

The Secretary to Government of India,
Ministry of Petroleum and Natural Gas,
Shastri Bhavan,
New Delhi - 110 001.

R-2 in WP 27209/2016

..

Secretary to State,
Public Politics and Pension - II,
Secretariat,
Chennai.

R-3 in WP 27209/2016

..

WP 27201 of 2016 is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the second and third respondents to produce report to the first respondent.



WP 27209 of 2016 is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first and second respondents to consider the representation of the petitioner dated 02.01.2016.

For Petitioner in both WPs: Ms.R.Nasrine

For Respondents in WP
27201/2016 and : Mr.K.M.D.Muhilan,
Respondents-1&3 in Government Advocate.
WP 27209/2016

For Respondent-2 in
WP 27209/2016 : Mr.T.L.Thirumalaisamy,
Central Government Standing
Counsel.

C O M M O N O R D E R

In WP No.27201 of 2016, the relief sought for is to direct the second and third respondents to produce report to the first respondent.

2. In WP No.27209 of 2016, the relief sought for is to direct the first and second respondents to consider the representation submitted by the petitioner on 02.01.2016.

3. The representation submitted by the petitioner reveals that the petitioner seeks to consider his application for grant of Petrol Bunk.

4. The father of the petitioner was a Freedom Fighter and was receiving Freedom Fighters Pension. After his demise, the petitioner, who is the son of the Freedom Fighter, filed an application for allotment of Petrol Bunk.

5. This Court is of the considered opinion that the allotment of Petrol Bunk is to be made strictly in accordance with the Rules and Regulations. By disposing of the representation, the petitioner cannot secure the right for such allotment.

6. For entertaining a writ petition, the petitioner has to establish his right of allotment of Petrol Bunk, per se, cannot be claimed as a matter of right.

7. Once an application is submitted and the said application is to be considered along with all other applications submitted by the other eligible persons by following the Regulations and other relevant provisions of law.



8. This being the procedure to be followed by the Competent Authorities, this Court cannot issue any direction even to consider the representation. If at all the petitioner is eligible, he is at liberty to submit an application, whenever a Notification is issued for allotment of Petrol Bunks.

9. Contrarily, the High Court cannot create a right by directing the Authorities to consider the representation submitted by the petitioner.

10. Accordingly, the petitioner has not established any right for the purpose of considering the relief, as such, sought for in these writ petitions and therefore, the writ petitions stand dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

Svn

To

- 1.The District Collector,
District Collector Office,
Vellore District,
Vellore - 632 009,
Tamil Nadu.
- 2.Personal Assistant of District Collector,
Land Department,
Vellore.
- 3.The Taluk Officer,
O/o.The Taluk,
Vellore.
- 4.The Secretary to Government of India,
Ministry of Petroleum and Natural Gas,
Shastri Bhavan,
New Delhi - 110 001.



5. Secretary to State,
Public Politics and Pension - II,
Secretariat,
Chennai.

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+1cc to the Government Pleader, S.R.No.49041

WPs 27201 and 27209 of 2016

SR-II(CO)
CB(13/10/2021)