



W.P.No. 27738 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 12.07.2022

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

**W.P.No.27738 of 2011
and
M.P. Nos.1 & 2 of 2011 & 1 of 2012**

1 Mr.K.S.Sampath Kumar ... Petitioner

VS

- 1 The Chief Regional Manager,
LPG Hindustan Petroleum Corporation Ltd.
Bangalore LPG Regional Office,
3 & 4 Whitefield Road, Mahadevapura Post
Bangalore 560 048
- 2 The Chairman
LPG Distributorship Selection Committee for
Krishnagiri
Hindustan Petroleum Corpn Ltd.
3 & 4 Whitefield Road, Mahadevapura Post,
Bangalore
- 3 The Deputy General Manager,
LPG (South Zone) & Grievances,
Hindustan Petroleum Corpn Ltd.
Thalamuthu Natarajan Bldg,
1, Gandhi Irwin Road, Egmore, Chennai 8.



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4 K.Jaganathan
c/o.The Chief Regional Manager-LPG
Hindustan Petroleum Corpn Ltd.
Bangalore LPG Regional Office
3 & 4, Whitefield Road, Mahadevapura Post,
Bangalore 560 048

5 M. Shantanu Guha
Senior Manager-LPG
(South Zone) & Grievances
Hindustan Petroleum Corpn Ltd.
Thalamuthu Natarajan Bldg
1, Gandhi Irwin Road,
Egmore, Chennai 8

6 Mr.Rajeev Hagargi
Senior Regional Manager
Hindustan Petroleum Corpn. Ltd.
165/166 KIADB Indl. Area, Belur,
Dharwad, Hubli 580011, Karnataka

7 Mr.Raju Nair
Chief Regional Manager
Bangalore LPG Regional Office,
3 & 4 Whitefield Road
Mahadevapura post, Bangalore 560 048 ...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records dated 22.09.2011 of the second respondent empanelling the candidates for H.P. Gas Distributorship for the Krishnagiri Region as well as the consequential proceedings of the third respondent dated 31.10.2011 made in



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Ref. KS/LPG and quash the same and consequently direct the second respondent to assign four marks to the petitioner in "Experience Category" on the basis of the certificates produced by the petitioner on 22.09.2011 under clause 14 of the application for selection of H.P. LPG Distributorship and thereafter finalise the Merit Panel.

For Petitioner : No appearance.

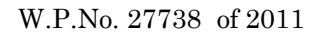
For R1 to R3 &
R5 to R7 : Mr. M. Vijayan
for M/s. King & Partridge

R4 : Mr. S. Mohan

ORDER

This Writ Petition was filed challenging the proceedings of the 2nd respondent dated 22.09.2011 and the consequential proceedings of the 3rd respondent dated 31.10.2011 and for a consequential direction to assign four marks to the petitioner in the "Experience Category".

2. The case of the petitioner is that he has submitted an application to the respondents 1 to 3 to participate in the selection of H.P. Gas Distributorship for Krishnagiri Region. The grievance of the petitioner is



4. It is seen from the counter affidavits that totally three candidates were empaneled and the name of the petitioner was in the third position. According to the petitioner, the petitioner ought to have been given four marks in the "Experience category" and whereas only two marks were given to him. It is under these circumstances, the petitioner made a representation to the respondents to reconsider and to grant the maximum four marks to the petitioner. This representation was considered by the respondents and sufficient reasons were given to the petitioner as to why he was granted only



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two marks under the "Experience Category".

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5. The quality of experience that is submitted by the petitioner will be judged based on the response to the questions relating to experience in direct sale, experience in home delivered products, experience in trade of petroleum products, experience in hospitality/service industry, etc., and considering all these, the petitioner was granted two marks out of four marks.

6. This Court does not find any discrimination on the part of the respondents while granting two marks to the petitioner under the "Experience Category" since even the first and second empaneled candidates were only granted 1.67 marks and 1.50 marks respectively in this category. This Court does not find any apparent illegality in the decision taken by the respondents and in any case, this Court is not an expert to assess the marks given by the respondents unless on the face of it, it is found to be vitiated.

7. In view of the above discussion, this Court does not find any merits in this Writ Petition and accordingly, the same is dismissed. No costs.



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Consequently connected miscellaneous petitions are closed.

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Internet : Yes / No

Index: Yes / No

Speaking order / Non speaking order
Bga

To

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