



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.27679 of 2021

and

W.M.P.Nos. 29229, 29231, 29232 & 29235 of 2021

1. A. Parvathi

3. N. Santhikumari

.....Petitioners

Vs

1. The under Secretary to Government of India,
Ministry of Petroleum and Natural Gas,
Shastri Bhavan, New Delhi -110001.

2.The General Manager (Regt Office),
Bharat Bhavan, 4 & 6, Currimbhoy Road,
Ballard Estate, P.B.No.688, Mumbai-400 001.

3. The Territory Manager, BPCL,
No.35, Vaidyanathan Street,
Tondiarpet, Chennai-600 081.

4. The Territory Manager-LPG,
No.:1, Ranganathan Gardens,
Off 1st Main Road, Annanagar,
Chennai-40.

.....Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to dispose of the first petitioner's representation dated 15.05.2021.

For petitioner : Mr. V. Nandagopalan

For R-1 : Mr. J. Madhana Gopal Rao

ORDER

The present petition has been filed seeking a direction to the respondents to dispose of the first petitioner's representation dated 15.05.2021.



2. The case of the petitioners is that the 1st petitioner being the wife of one late S.Annamalai who worked under the dynamic leadership of Nethaji Subash Chandra Bose for driving out the British force, had made representation dated 15.05.2021 to the respondents herein for availing the distributorship in LPG and Petroleum outlet, which is being provided by the Government of India to honour the freedom fighters for their contributions in freedom struggle. However, till date, the said representations were not considered by the respondents. Hence, the present petition is filed seeking the above relief.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice, if this Court issues direction to the 1st respondent to dispose of the representation dated 15.05.2021 made by the petitioner within the time frame fixed by this Court.

4. Learned counsel for the respondents submits that pursuant to the petitioner's letters dated 07.05.2018 & 07.08.2018 regarding the award of a retail outlet, the reply was sent to the petitioner by the 3rd respondent herein vide letter dated 01.09.2018 stating that retail outlets are being awarded as per the Dealer Selection Guidelines and the petitioner was advised to apply through online for dealership license. However, without applying for said license, the petitioner making representation before the 1st respondent is not sustainable. Hence, prayer sought for in this petition cannot be acceded to.

5. Heard the learned counsel on the either side and perused the materials available on record.

6. A careful perusal of the materials placed before this Court reveals that the petitioners, being the legal heirs of S.Annamalai & P.Vaithilingam who were the freedom fighters, have made representations to the respondents herein for allotment of LPG distributorship and Petroleum outlet, pursuant to which, the respondents have sent a reply advising the petitioner to apply for dealership license, as the outlets are awarded on reservation basis.

7. Though the petitioners claims that they are eligible for availing the said allotment, however, without applying for the dealership license through the proper channel, making representation before the 1st respondent is not sustainable. Hence, this Court cannot give any affirmative direction to the respondents herein to grant relief as sought for in the present petition. Therefore, the prayer sought for by the petitioner cannot be acceded to. However, the liberty is



granted to the petitioner to approach the 3rd respondent by submitting application through online.

8. Accordingly, this Writ Petition is disposed of with the above observation and the aforesaid direction. No Costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

NHS

To

1. The under Secretary to Government of India,
Ministry of Petroleum and Natural Gas,
Shastri Bhavan, New Delhi -110001.
- 2.The General Manager (Regt Office),
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+2ccs to Mr. V. Nandagopalan, Advocate SR.No.84

W.P.NO.27679 of 2021

KSM(CO)
GMY(03/02/2022)