



W.P(MD)No.5787 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.5787 of 2013

and

M.P(MD)Nos.1, 2 & 3 of 2013

Palaniappan

... Petitioner

Vs.

1.The Senior Divisional Retail Sales Manager,
Marketing Division, I.O.C. Centre,
Trichy Division,
Triveni, 3rd Floor, B 35 Sastry Road,
Tillainagar,
Trichy.

2.The Superintending Engineer,
TANGEDCO,
Pudukkottai,
Pudukkottai District.

3.The Assistant Engineer, (O & M),
TANGEDCO,
Karambakudi,
Karambakudi Taluk,
Pudukkottai District.

4.K.Shyamala Devi

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent pertaining to the allotment order issued in favour of the fourth respondent for the Retail Petrol Pump Outlet Advt. No.778 of Karambakudi, Pudukkottai District, as per the result of the Dealership Selection Committee, dated 14.02.2012 and quash the same and consequently direct the first respondent to allot the allotment order in favour of the petitioner as per the result of the Dealership Selection Committee result, dated 14.02.2012.

For Petitioner : Mr.K.Baalasundharam

For R-1 : M/s.R.Sundar

For R-2 & R-3 : Mr.S.Deenadhayalan
Standing Counsel

For R-4 : Mr.R.Ashok Kumar

ORDER

The present Writ Petition has been filed challenging awarding of marks at the time of granting of petrol pump dealership by the first respondent herein.

2. According to the learned Counsel for the petitioner, false affidavits have been filed by the fourth respondent herein and based upon



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the said false affidavit, marks have been awarded to the fourth respondent in the interview. Based upon the said higher marks awarded to the fourth respondent, the petrol pump dealership has been conferred upon the fourth respondent herein. Hence, the present writ petition has been filed challenging the awarding of such enhanced marks for the fourth respondent.

3. Per contra, the learned Counsel appearing for the first respondent contended that as per clause 18(A) of the brochure, any person who is aggrieved over the allotment of a retail outlet should file a complaint within a period of thirty days from the date of declaration of the result of the interview. In the present case, the petitioner herein has lodged an appeal before the first respondent herein on 28.04.2012. The said appeal was disposed of by the first respondent herein by an order, dated 22.08.2012, rejecting the complaint lodged by the writ petitioner herein. A perusal of the order, dated 22.08.2012, reveals that all the allegations relating to the awarding of marks have been narrated and each one of the allegations have been answered and a detailed order has been passed by the first respondent herein.



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4. Without challenging the order passed by the appellate authority, the present writ petition has been filed challenging the marks awarded at the time of interview. In view of the above said facts, the writ petition is not maintainable. The writ petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

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Index : Yes / No
Internet : Yes / No
btr

To

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2.The Superintending Engineer,
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R.VIJAYAKUMAR, J.

btr

3.The Assistant Engineer, (O & M),
TANGEDCO,
Karambakudi,
Karambakudi Taluk,
Pudukkottai District.

Order made in
W.P(MD)No.5787 of 2013

21.09.2022