



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.8497 of 2022

N.R.Sethupathy

... Petitioner

Vs.

1.The Indian Oil Corporation Limited,
Represented by its Deputy General Manager,
(Retail Sales),
Tamil Nadu State Office,
Indian Oil Bhavan,
139 Nungambakkam High Road,
Chennai.

2.The Divisional Manager, (Retail Sales),
The Indian Oil Corporation Limited,
Triveni No.B-35, 3rd Floor Shastri Road,
Thillai Nagar,
Trichy-18.

3.The Hindustan Petroleum Corporation Limited,
Represented by its General Manager - Retail,
(Southern Zone),
Thalaimuthu Natrajan Building,
4th Floor, P.O No.3045,
Gandhi Irwin Road,
Chennai - 600 008.

4.S.Venkatesan

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to consider and pass orders on the petitioner's representation dated 30.03.2022 after hearing the petitioner and the fourth respondent regarding the disqualification of the fourth respondent in connection with award of Rural retail outlet dealership for Arasalur locality, Trichirapalli and consequently award the said dealership in favour of the petitioner, within the time that may be stipulated by this Court.



For Petitioner : Mr.Anwar Sameem
For R-1 and R-2 : Mr.K.Muraleedharan
For R-3 : Mr.Mahaboob Athif

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the second respondent to consider and pass final orders on the petitioner's representation dated 30.03.2022 seeking for disqualification of the fourth respondent in connection with the award of rural retail outlet dealership in his favour in Arasalur locality, Trichy and consequently award the said dealership in favour of the petitioner within a time frame to be fixed by this Court.

2. The petitioner submits that the land offered by the fourth respondent for the retail outlet is not in accordance with the stipulations of the second respondent Oil Corporation. In such circumstances, he has given the aforementioned representation dated 30.03.2022.

3. Mr.K.Muraleedharan, learned counsel, accepts notice on behalf of the first and second respondents. On instructions, he would submit that the Letter of Intent (LOI) has already been issued in favour of the fourth respondent which is disputed by the learned counsel for the petitioner.

4. This Court is of the considered view that no prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner and the fourth respondent.

5. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation dated 30.03.2022 seeking for disqualification of the fourth respondent and for issuing award in his favour and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and the fourth respondent including granting them the right of personal hearing, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

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Sub Assistant Registrar(CS)



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(Retail Sales),
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