



W.P(MD)No.5275 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5275 of 2019

and

W.M.P.(MD)No.4213 of 2019

Rajeshwari

... Petitioner

Vs.

1.The Chairman,
Indian Oil Corporation,
G-9, Indian Oil Bhavan,
Aliyavar Jung Marg,
Bandra East,
Mumbai-400 051.

2.The Divisional Engineer,
Indian Oil Corporation,
No.8-35, 3rd Floor,
Triveni, Sashtri Road,
Thillai Nagar, Trichy-18.

3.Nandhini Devi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration, to declare that the so called Lucky Draw conducted by the 2nd respondent on 13/02/2019 and thereby selected the 3rd respondent for setting up a petroleum retail outlet at Ethumalai, Mannachanallur Taluk, Trichy District as null and void.



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For Petitioner : Mr.T.Lenin Kumar
For R1 & R2 : Mr.K.Murleedharan
For R3 : Mr.M.Thirunavukkarasu

ORDER

Heard the learned counsel on either side.

2. The petitioner and the third respondent were applicants for allotment of petroleum retail outlet at the petition mentioned location. The third respondent was declared as successful in the lucky draw conducted by the second respondent on 13.02.2019. Seeking declaration that it was improperly conducted and that selection of the third respondent was illegal, the present writ petition has been filed.

3. The learned standing counsel for R1 & R2 points out that apart from the petitioner and the third respondent, there were two more applicants. One private agency was tasked with conducting the lucky draw. The entire process was duly videographed. The learned standing counsel would further state that the petitioner was also informed about the date and venue where the lucky draw was to be held.



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4. The respondents 1 and 2 as well as the third respondent have filed independent counter affidavits.

5. After going through the pleadings and after hearing the contentions of the learned counsel on either side, I am not able to find fault the impugned selection process. No materials has been placed for interference. It is also submitted that for the last two years, since 30.07.2021, the third respondent is already running the retail outlet.

6. The writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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