



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.7875 of 2017

and

W.M.P(MD)Nos.6104 & 6105 of 2017

Mariammal

... Petitioner

Vs

1.The Chief Area Manager,
Indian Oil Corporation Ltd.,
Indane Area Office,
Marketing Division,
No.2, Race Course Road,
Chokkikulam,
Madurai - 2.

2.Chenkamalaselvi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, forbearing the first respondent not to issue the LOA (Letter of Appointment) to the second respondent and quash the order passed by the first respondent and to stay the operation of the LOI Reference No.2016/IN 000561/TN/000113/4113/00031 issued on 06.01.2017 by the first respondent by virtue of the notification issued by the first respondent has made and advertisement in the daily Thanthi News Paper dated 21.09.2013 and consequently, direct the first respondent to make advertisement for fresh selection for LPG disptributorship.

For Petitioner : Mr.K.Prabhu

For Respondents : Mr.K.Muraleedharan for R.1

Mr.J.Jeyakumaran for R.2

ORDER

Heard the learned counsel on either side.

2. The second respondent was allotted LPG distributorship for Tenkasi. The same is questioned by the petitioner who also applied in response to the notification issued by the first respondent. The



selection of the second respondent is challenged on the ground that the second respondent's husband is working as Deputy General Manager in ONGC and therefore, she is disqualified even to take part in the process.

3. As rightly pointed out by the learned Standing Counsel, ONGC cannot be called as an Oil Marketing Company. Therefore, employment of the second respondent's husband in ONGC as Deputy General Manager will not operate as a disqualification. The husband of second respondent has also given an affidavit that he will not lay any claim on the distributorship in question and thus, the second respondent has become an exclusive owner of the distributorship. It is also stated that LOA (Letter of Appointment) was allotted in the year 2018 and she is since operating the distributorship. Therefore, I do not find any ground to interfere. The writ petition is dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

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To

The Chief Area Manager,
Indian Oil Corporation Ltd.,
Indane Area Office,
Marketing Division,
Chokkikulam,
Madurai - 2.

+1 CC to M/s.K. PRABHU, Advocate (SR-27313[F] dated 22/06/2022)

W.P.(MD)No.7875 of 2017
21.06.2022

CK(CO)

TR(04.07.2022) 2P 3C