



W.P.No.13188 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.13188 of 2023
and W.M.P.Nos.12927, 12928 and 12929 of 2023

S.Karthiyayani

... Petitioner

Vs.

1.Indian Oil Corporation Ltd.,
Represented by its General Manager,
Marketing Division,
Tamilnadu State Office,
No.139, Nungambakkam High Road,
Chennai-600034.

2.Divisional LPG Head,
Chennai Indane Divisional Office,
Indian Oil Corporation Limited,
500, Anna Salai, Teynampet,
Chennai-600 018.

3.Kancheepuram District Consumer Co-operative
Wholesale Stores Ltd.,
93G-113, Prakasam Salai, Broadway,
Chennai-600001.

... Respondents



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PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records relating to the proceedings in Letter No.CHIAO/NDNE/SP, dated 02.03.2023 on the file of the 2nd respondent and to quash the same and appoint the writ petitioner as the NDNE Retailer for marketing of packed Indane LPG to Industrial/Commercial segments in Sriperambadur location on the basis of interview conducted by the 2nd respondent on 02.03.2023 and in accordance with IOCL's Selection Guidelines for appointment and operation of NDNE Retailers.

For Petitioner : Mr.L.Dhamodharan

For Respondents : M/s.Mohammed Fayaz Ali
for R1 and R2

Mr.R.Prem Narayan
for R3

ORDER

The petitioner has filed this petition challenging the proceeding of the 1st respondent, dated 02.03.2023. In this proceeding, the 3rd respondent, the Kancheepuram District Consumer Co-operative Wholesale Stores Ltd., was selected as the NDNE Indane Retailer at Sriperumbadur based on an interview held on that day.

2.According to the petitioner, the revised guidelines issued by the 1st



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respondent in August 2022, state that the eligibility criteria for selecting an

Indane NDNE Retailer is that the retailer must be either (a) an individual, (b) a partnership firm, or (c) a public or private limited company. The learned counsel argued that contrary to the prescribed eligibility criteria, the 1st respondent selected a co-operative society that does not fit into any of the three categories mentioned in the guidelines.

3.The issue at hand is whether the 3rd respondent can be classified under any of the three categories of persons or entities provided in the eligibility criteria according to the guidelines of the 1st respondent.

4.Learned counsel for respondents 1 and 2 has circulated a proceeding of the 1st respondent, dated 25.05.2023, which states that the earlier selection of the 3rd respondent has been cancelled because it did not meet the eligibility criteria. This answers the petitioner's concern. The learned counsel further added that in the selection process, the petitioner is ranked 3rd, and therefore, the retailer should go to the 2nd ranked individual by default.

N.SESHASAYEE, J.



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Anu

5.This court merely acknowledges this information and does not express any views on it, as it falls outside the scope of this petition. Therefore, there is nothing left to be addressed in this petition.

6.This Writ Petition is hereby closed accordingly. No Costs. Consequently, the connected miscellaneous petitions are closed.

11.07.2023

Anu

Index : Yes / No

Neutral citation : yes/no

To

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