



W.P.(MD)Nos.18676 to 18678 of 2013 & 2461 & 2462 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :14.02.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)Nos.18676 to 18678 of 2013 & 2461 & 2462 of 2014

and

M.P.(MD).Nos.1, 1, 1 & 2, 2 & 2 of 2013 and 1, 1, 2 & 2 of 2014

W.P.(MD).No.18676 of 2013

R.Regunathan
Proprietor,
Shreesha NDNE Indane Agency,
64/2A, Nadukattu Esakkiamman Koil Street,
Nagercoil 629001,
Kanyakumari District.

... Petitioner

Vs.

- 1.The Union of India,
Rep by its Secretary,
Ministry of Petroleum and Natural Gas,
Shastri Bhavan,
New Delhi.
- 2.The Hindustan Petroleum Corporation Ltd.,
Rep by its Chairman & Managing Director,
III Floor, Petroleum House,
No.17, Jamshedji TATA Road,
Church Gate,
Mumbai 400020.



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3.The Indian Oil Corporation Ltd.,
Rep by its Chairman & Managing Director,
Corporate Office, 3079/3,
JB Tito Marg, Sadiq Nagar,
New Delhi 110049.

4.The Bharat Petroleum Corporation Ltd.,
Rep by its Chairman & Managing Director,
Bharat Bhavan,
No.4 & 6, Currimbhoy Road,
Ballard Estate, Mumbai 400001.

5.The Director (Marketing)
Hindustan Petroleum Corporation Ltd.,
III Floor Petroleum House,
No.17, Jamshedji TATA Road,
Church Gate,
Mumbai 400020.

6.The Director (Marketing)
Bharat Petroleum Corporation Ltd.,
No.4 & 6, Currimbhoy Road,
Ballard Estate,
Mumbai 400001.

7.The Director (Marketing),
Indian Oil Corporation Ltd.,
Indian Oil Bhavan,
G-9, Ali Yavar Jung Marg,
Bandra East,
Mumbai 400061.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Certiorarified Mandamus, calling for the



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entire records relating to the impugned advertisement published in Dina Malar Tamil Daily News Paper dated 21.09.2013 by the respondents 2 to 7 herein and quash the same insofar as Sl.No.25, namely Nagercoil (Asaripallam) and consequently direct the first respondent to consider the representation made by the petitioner dated 30.09.2013 and convert the Non-Domestic Dealership of the petitioner as LPG Dealership in respect of Sl.No.25, namely Nagercoil (Asaripallam) Contained in the advertisement published in Dina Malar Tamil Daily News Paper dated 21.09.2013.

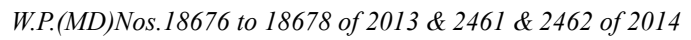
For Petitioner :Mr.S.Sethuraman

For Respondents :Mr.S.Jeyasingh
Senior Panel Counsel
Government of India for R1

:Mr.M.Sridhar for R2 & R5

:Mr.K.Muraleedharan for R3 & R7

:Mr.S.Nates Raja for R4



S.Murugesan
Proprietor,
Vetri NDNE Indane Agency,
39/40, Kulasekaranthar Koil Street,
Tenkasi 627811

... Petitioner

Vs.

1. The Union of India,
Rep by its Secretary,
Ministry of Petroleum and Natural Gas,
Shastri Bhavan,
New Delhi.
2. The Hindustan Petroleum Corporation Ltd.,
Rep by its Chairman & Managing Director,
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3. The Indian Oil Corporation Ltd.,
Rep by its Chairman & Managing Director,
Corporate Office, 3079/3,
JB Tito Marg, Sadiq Nagar,
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Rep by its Chairman & Managing Director,
Bharat Bhavan,
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5.The Director (Marketing)
Hindustan Petroleum Corporation Ltd.,
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Mumbai 400020.

6.The Director (Marketing)
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Ballard Estate,
Mumbai 400001.

7.The Director (Marketing),
Indian Oil Corporation Ltd.,
Indian Oil Bhavan,
G-9, Ali Yavar Jung Marg,
Bandra East,
Mumbai 400061.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned advertisement published in “Dina Malar” Tamil Daily News Paper dated 21.09.2013 by the respondents 2 to 7 herein and quash the same insofar as Sl.No.25, namely Tenkasi-2, Tirunelveli District and consequently direct the third respondent to consider the representation made by the petitioner dated 28.10.2013 and convert the Non-Domestic Dealership of the petitioner as LPG Dealership in respect of Sl.No.235, namely Tenkasi-2, Tirunelveli District, contained in the advertisement published in 'Dina Malar' Tamil Daily News Paper dated



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21.09.2013.

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For Petitioner :Mr.S.Sethuraman
For Respondents :Mr.S.Jeyasingh
Senior Panel Counsel
Government of India for R1

:Mr.M.Sridhar for R2 & R5

:Mr.K.Muraleedharan for R3 & R7

:Mr.S.Nates Raja for R4

W.P.(MD).No.18678 of 2013

S.Muruganandam
Proprietor,
Sri Guru NDNE Indane Agency
No.96, B4, PACR Salai,
Andalpuram,
Rajapalayam 626 108.

... Petitioner

Vs.

- 1.The Union of India,
Rep by its Secretary,
Ministry of Petroleum and Natural Gas,
Shastri Bhavan,
New Delhi.
- 2.The Hindustan Petroleum Corporation Ltd.,
Rep by its Chairman & Managing Director,



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III Floor, Petroleum House,
No.17, Jamshedji TATA Road,
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Mumbai 400020.

3.The Indian Oil Corporation Ltd.,
Rep by its Chairman & Managing Director,
Corporate Office, 3079/3,
JB Tito Marg, Sadiq Nagar,
New Delhi 110049.

4.The Bharat Petroleum Corporation Ltd.,
Rep by its Chairman & Managing Director,
Bharat Bhavan,
No.4 & 6, Currimbhoy Road,
Ballard Estate, Mumbai 400001.

5.The Director (Marketing)
Hindustan Petroleum Corporation Ltd.,
III Floor Petroleum House,
No.17, Jamshedji TATA Road,
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Mumbai 400020.

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Bharat Petroleum Corporation Ltd.,
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7.The Director (Marketing),
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... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned advertisement published in Dina Malar Tamil Daily News Paper dated 21.09.2013 by the respondents 2 to 7 herein and quash the same insofar as Sl.No.126, Rajapalayam East and consequently direct the respondents 1 to 2 to consider the representation made by the petitioner dated 15.10.2013 and convert the Non-Domestic Dealership of the petitioner as LPG Dealership in respect of Sl.No.126, viz., Rajapalayam-East contained in the advertisement published in “Dina Malar” Tamil Daily News Paper dated 21.09.2013.

For Petitioner :Mr.S.Sethuraman

For Respondents :Mr.S.Jeyasingh
Senior Panel Counsel
Government of India for R1

:Mr.M.Sridhar for R2 & R5

:Mr.K.Muraleedharan for R3 & R7

:Mr.S.Nates Raja for R4



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W.P.(MD).No.2461 of 2014

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S.Chellaiah Chettiar Firm,
Rep by its Proprietor S.S.Selvaraj,
310, Main Road, Kovilpatti,
Tuticorin District.

... Petitioner

Vs.

- 1.The Union of India,
Rep by its Secretary,
Ministry of Petroleum and Natural Gas,
Shastri Bhavan,
New Delhi.
- 2.The Hindustan Petroleum Corporation Ltd.,
Rep by its Chairman & Managing Director,
No.17, Samshed Ji Tatta Road,
Mumbai 400020.
- 3.The Indian Oil Corporation Ltd.,
Rep by its Chairman & Managing Director,
Scope Complex, New Delhi 110 003.
- 4.The Director(Marketing)
Indian Oil Corporation Ltd.,
G-9, Ali Yuavar Jung Marg,
Bandara East, Mumbai 400 051.
- 5.The Bharat Petroleum Corporation Ltd.,
Rep by its Chairman and Managing Director,
Bharat Bhavan, Nos.4 and 6 Currim Bhoy Road,
Ballard Estate, P.B.No.688, Mumbai 400 001.



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6.The State of Tamil Nadu
Rep by its Secretary to Government,
Food, Civil Supplies and Consumer
Protection Department,
Fort St., George, Chennai 600 009.

7.The Commissioner,
Civil Supplies, Chepauk,
Chennai 600 005.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the impugned advertisement published in the “The Hindu” Newspaper dated 21.09.2013 by the respondents 2 to 5 herein for appointment of LPG distributors in Tirunelveli Town, Tirunelveli District and quash the same and consequently direct the respondents 1 to 5 herein to allot LPG Distributorship in Tirunelveli Town, Tirunelveli District or in any other location in Tamil Nadu to the petitioner.

For Petitioner :Mr.K.Rajeshwaran

For Respondents :Mr.R.Murugappan for R1

:Mr.M.Sridhar for R2

:Mr.K.Muraleedharan for R3 & R4

:No appearance for R4 to R7



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Rep by its Proprietor S.S.Selvaraj,
310, Main Road, Kovilpatti,
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... Petitioner

Vs.

- 1.The Union of India,
Rep by its Secretary,
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Scope Complex, New Delhi 110 003.
- 4.The Director(Marketing)
Indian Oil Corporation Ltd.,
G-9, Ali Yuavar Jung Marg,
Bandara East, Mumbai 400 051.
- 5.The Bharat Petroleum Corporation Ltd.,
Rep by its Chairman and Managing Director,
Bharat Bhavan, Nos.4 and 6 Currim Bhoy Road,
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6.The State of Tamil Nadu
Rep by its Secretary to Government,
Food, Civil Supplies and Consumer
Protection Department,
Fort St., George, Chennai 600 009.

7.The Commissioner,
Civil Supplies, Chepauk,
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... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the impugned advertisement published in the “The Hindu” Newspaper dated 21.09.2013 by the respondents 2 to 5 herein for appointment of LPG distributors in Tirunelveli, Tirunelveli District and quash the same and consequently direct the respondents 1 to 5 herein to allot LPG Distributorship in Tirunelveli, Tirunelveli District or in any other location in Tamil Nadu to the petitioner.

For Petitioner :Mr.K.Rajeshwaran

For Respondents :Mr.R.Murugappan for R1

:Mr.M.Sridhar for R2

:Mr.K.Muraleedharan for R3 & R4

:No appearance for R4 to R7



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ORDER

Today, when these matters are taken up for hearing, the learned counsel appearing on either side submitted that the issue is already covered by the judgment of this Court in batch of writ petitions in W.P.No.35322 of 2013 batch dated 30.06.2016, which has already been confirmed by the Division Bench of this Court in W.A.No.898 of 2016 batch, dated 04.08.2017. Hence, following the aforesaid judgments, these writ petitions are also dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

14.02.2023

NCC :Yes/No
Internet :Yes/No
Index :Yes/No



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The Union of India,
Ministry of Petroleum and Natural Gas,
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No.4 & 6, Currimbhoy Road,
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K.KUMARESH BABU, J.

sbn

W.P.(MD)Nos.18676 to 18678 of 2013 & 2461 & 2462 of 2014
and
M.P.(MD).Nos.1, 1, 1 & 2, 2, 2 of 2013 and 1, 1, 2 & 2 of 2014

14.02.2023