



W.P(MD)No.11770 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11770 of 2014
and
M.P.(MD)No.1 of 2014

P.Parisivan

... Petitioner

Vs.

1.The Secretary to Government,
Ministry of Petroleum and Gas,
Government of India,
New Delhi – 110 001.

2.Indian Oil Corporation Ltd.,
Rep. by its Senior Area Manager,
Indane Area Office,
B-35, 2nd Floor, Shastri Road,
Thillai Nagar,
Tiruchirappalli – 620 018.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned communication in Ref.No.TRO/IMP/ORATHA/13 dated 05.06.2014 by the 2nd Respondent and to quash the same, and consequently directing the 2nd Respondent to consider the petitioner's application following the Scheme of Financial



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Assistance SC/ST Category Distributorship given in Guidelines for Selection issued by the 2nd Respondent Corporation.

For Petitioner : Mr.A.Anandha Prakash

For Respondents : Mr.K.Asok Kumar Ram,
Senior Panel Counsel for R1.
Mr.K.Muraleedharan for R2.

ORDER

Heard the learned counsel on either side.

2.By the impugned communication, the petitioner was informed that his candidature was not found to be eligible for LPG distributorship.

3.The learned counsel for the writ petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to grant relief as prayed for.

4.I am not persuaded by the said submissions. As rightly pointed out by the learned standing counsel for the respondents, the communication informs the petitioner is a speaking one. The following



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reasons have been set out in the impugned communication for rejecting the petitioner's candidature:-

- “1.Godown land not offered*
- 2.Showroom land not offered*
- 3.Does not have minimum funds of Rs.2.5Lacs (U/R).”*

5.The terms of allotment set out in the brochure are binding on the applicant. When the petitioner failed to offer godown land and failed to show minimum fund of Rs.2.5 Lakhs, the respondent corporation had no other opinion to say no to the petitioner. The impugned communication does not call for interference and it is sustained. The writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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

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