



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.02.2024

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.4519 of 2024
& WMP.Nos.4890 & 4892 of 2024

Arsath Abdulla

... Petitioner

Vs

1.The General Manager,
Hindustan Petroleum Corporation Limited,
registered office at
No.17, Jamshedji Tata Road,
Mumbai – 400 020.

2.The Chief Regional Manager
Hindustan Petroleum Corporation Limited
Coimbatore Regional Office 18/3,
Big Bazaar Street
Coimbatore District – 641 001

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned communication of 2nd respondent made in Ref: HPC16897515526093, dated 01.02.2024 and quash the same, consequently direct the respondents to accept the petitioner's lease deed dated 17.07.2023 and Rectification Deed dated 11.08.2023, and declare the petitioner as



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respondent's dealership as per the communication dated 13.12.2023 made in Ref. HPC16897515526093 issued by 2nd respondent.

For Petitioner : Mr.V.Anandhamurthy

For Respondents : Mr.Adarsh
for Mr.Mohd. Fayaz Ali

ORDER

Mr.Adarsh, learned counsel on behalf of Mr.Mohd. Fayaz Ali, learned counsel accepts notice for the respondents and is armed with instructions to enable final disposal of this Writ Petition, even at the stage of admission.

2. The petitioner is aggrieved by an order passed on 01.02.2024 rejecting his application for award of Dealership for Petroleum Outlet from Brammadesam to Anthiyur on Anthiyur Appakudal Road under OBC category.

3. The short point made is that the order of rejection states in conclusion, that if the petitioner has any grievance as against the rejection of his candidature, a representation may be made by 11.02.2024. Admittedly, the petitioner has sent an e-mail dated 04.02.2024 aggrieved by the order of rejection.

4. Mr.Adarsh, learned counsel for the respondents would accede to the receipt of representation via e-mail dated 04.02.2024. The petitioner having availed the remedy provided for under the impugned order, the respondent



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should have disposed the representation after hearing the petitioner, in accordance with law. This has not been done and hence this Writ Petition.

5. While the petitioner in the Writ Petition has challenged order dated 01.02.2024, Mr.V.Anandhamurthy, learned counsel for the petitioner would state that the petitioner would be satisfied if the representation sent via e-mail dated 04.02.2024 is disposed in accordance with law.

6. Hence while rejecting the prayer for certiorari, mandamus is issued to R2 to hear the petitioner and dispose representation dated 04.02.2024 on merits and in accordance with law and applicable Rules, Regulations and Guidelines, within a period of two (2) weeks from today.

7. This Writ Petition is disposed as above. No costs. Connected Miscellaneous Petition is closed.

22.02.2024

Index : Yes / No

Speaking order

Neutral citations: Yes

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To

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DR.ANITA SUMANTH,J.

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