



WEB COPY

W.P.No.12981 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.12981 of 2020

and

W.M.P. Nos.16065 and 16068 of 2020

A. Vengadesan S/o. Arasan Durai

... Petitioner

Vs.

1. Managing Director,
Indian Oil Corporation,
for Tamil Nadu & Puducherry,
Nungambakkam, Chennai-600 034.

2. Managing Director,
Indian Oil Corporation,
Zonal Office, Trichy.

3. Chandrasekaran Shanmugam

..... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the respondents 1 and 2 pertaining to the selection of the 3rd respondent and quash the online order dated 08.11.2019 selecting the 3rd respondent for dealership and consequently appoint the petitioner for the dealership for the



area Thayga Durugam to Thorasalur (SH 9A Manalurpet Road).

For Petitioner : Mr. V.V. Sairam.

For Respondents : Mr. Mohammed Fayaz,
Standing Counsel [for R1 and R2]

Mr. M. Venkatakrishnan [for R3]

ORDER

This Writ petition has been filed questioning the selection of the 3rd respondent for petrol bunk dealership and to direct the respondents to appoint the petitioner as dealer for the area Thayga Durugam to Thorasalur (SH 9 A Manalurpet Road).

2. The learned counsel for the petitioner Mr. V.V. Sairam submitted that the petitioner submitted an application to participate in the process of selection. The name of the petitioner was found in the selection list and he attended the draw of lots conducted by the respondents Corporation. The grievance of the Writ petitioner is that the 3rd respondent, whose name was not found in the selection list was granted dealership and therefore, the present Writ petition came to be filed.

3. At the outset, the learned counsel for the petitioner would submit



that the 3rd respondent who had not even submitted application was allotted dealership in violation of the regulations and therefore the process of selection is tainted with malafides and thus to be set aside.

4. The learned counsel appearing on behalf of the respondents 1 and 2, filed typed set of papers wherein the attendance sheet of eligible applicants present at the opening of Bids for selection of RO dealership is available. The date of Draw of Lot was on 08.11.2019. The place of Draw of Lot was SRM Hotels Pvt. Ltd., Race Course Road, Khajamalai, Trichy -23. The other details regarding the location of the Petrol Bunk also has been stated. A perusal of the list, it is seen that the eligible applicants are as under:-

1. Vengadesana
2. PrabhuAyyappa
3. Chandrsekaran Shanmugam
4. Maheshwari Arunjyothi
5. Chandrasekaran

5. It is found that all the applicants who participated in the Draw of



Lot had signed in the attendance sheet and they were present at the time of conduct of Draw of Lot. Thus, the document filed by the respondents 1 and 2 is sufficient enough to form an opinion that the 3rd respondent also had participated in the Draw of Lot and thus the contention of the petitioner is misconceived and incorrect.

6. In view of the above said facts and circumstances, the petitioner is not entitled for the relief and consequently, this Writ petition stands dismissed. There shall be no order as to costs. Connected miscellaneous petitions are closed.

11.01.2024

Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no

mjs

S.M.SUBRAMANIAM, J.



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mjs

To

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