



WEB COPY

W.P.No.157



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2024

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.15795 of 2021

and

W.M.P.No.16697 of 2021

Suguna

... Petitioner

Vs.

1. The Regional Manager, Indian Oil Corporation,
3rd Floor, No.B, Trichy Area Office and Divisional Office Triveni,
35, Shastri Road, Thillai Nagar, Tiruchirappalli,
Tamil Nadu – 620 018.

2. Velmurugan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 08.07.2021 and cancel the license granted to the 2nd respondent for operating Indian Oil Corporation Petrol Bunk at S.No.120/2, Kallathur Village, Udaiyarpalayam Taluk, Ariyalur District.

For Petitioner	: Mr.Ma.Gouthaman
For R1	: Mr.Mohammed Fayaz Ali,
	Standing Counsel for IOC
For R2	: Mr.K.Anbuselvan

ORDER

The Writ Petition has been filed for directing the 1st respondent to consider the petitioner's representation dated 08.07.2021 and cancel the license granted to the 2nd respondent for operating Indian Oil Corporation Petrol Bunk at S.No.120/2, Kallathur



Village, Udaiyarpalayam Taluk, Ariyalur District.

2. The petitioner would submit that license was granted in favour of the 2nd respondent to run the Petrol Bunk at S.No.120/2, Kallathur Village, Udaiyarpalayam Taluk, Ariyalur District. The 2nd respondent suppressed the fact regarding the subject property, since the petitioner is also entitled for share in the said property and the share was inherited by the petitioner from her father. None of the legal heirs of the father of the writ petitioner has been given consent in favour of the 2nd respondent for the purpose of securing license to run the Petrol Bunk in the property when the petitioner is holding the right over the property, the 1st respondent / Indian Oil Corporation has not verified the right to site under the relevant rules before granting license.

3. The learned counsel for the respondents would submit that the license to run the Petrol Bunk will be granted in accordance with the Petroleum Rules and as per the selection guidelines by scrutinizing the applications after conducting field inspection and by verifying the title of the subject property, the applications are entertained and selection is made. Thus, the present Writ Petition is to be rejected.

4. The petitioner has given a representation to the 1st respondent on 08.07.2021 setting out the facts which would reveal that the petitioner is holding the property right in respect of the property given by the 2nd respondent to run the Petrol Bunk. Therefore,



the right to site, as established by the 2nd respondent is to be revisited by scrutinizing the documents produced by the 2nd respondent. The objections of the writ petitioner also is to be considered. In this context, the petitioner is at liberty to submit all the relevant documents to the 1st respondent for verification and the 1st respondent is directed to fix a time for enquiry by issuing notice to all the parties and thereafter, take decisions in merits and in accordance with law as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition stands disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

07.02.2024

skr

Index : Yes

Speaking order

To

The Regional Manager, Indian Oil Corporation,
3rd Floor, No.B, Trichy Area Office and Divisional Office Triveni,
35, Shastri Road, Thillai Nagar,
Tiruchirappalli, Tamil Nadu – 620 018.



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S.M.SUBRAMANIAM, J.

skr

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