



W.M.P.No.18411 of 2021

in

W.P.No. 114 of 2021

S.M.SUBRAMANIAM, J.

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The petitioner filed W.P.No.114 of 2021, to direct the respondents to grant LPG distributorship in favour of the petitioner, based on his representation dated 17.09.2018. Admittedly, the said writ petition has been withdrawn by the writ petitioner on 7.4.2021.

2. After withdrawal of the writ petition, the present miscellaneous petition has been instituted seeking refund of the caution deposit of Rs.25000/-, deposited by the petitioner along with the application submitted before the respondent Indian Oil Corporation.

3. The learned counsel for the petitioner, would submit that the caution deposit of Rs.25,000/-, paid by the writ petitioner, was acknowledged by the respondent Oil Corporation in their proceeding dated 22.10.2018. Since the petitioner was not awarded with the distributorship, he is entitled for refund of the said amount.

4. The learned Counsel, Mr.Anantha Natarajan, appearing on behalf of the



respondent Corporation, relying on the revised policy guidelines for reconstitution LPG distributorship, contended that as per Clause 7.1, the caution deposit is non-refundable.

5. Clause 7.1 reads as under:

“7.1 Application processing fee:

A non refundable application processing fee of Rs.25,000 for reconstitution will be payable along with the application in all cases except (a) in cases where reconstitution is arising out of death / incapacitation of a proprietor, partner/s and incoming partner/s proposes to hold the same share in partnership as was with the deceased. (b) Dealership belonging to SC/ST and other Corpus Fund category. However, in cases involving induction of outside category partner in SC/ST dealership, no exemption will be given.”

6. In view of the conditions stipulated in the revised policy guidelines, the petitioner is not entitled to seek refund of the deposit amount of Rs.25,000/- paid along with the application. Thus, the Miscellaneous Petition is not entertainable. Further the main writ petition was already withdrawn by the petitioner.



7. Thus, the Miscellaneous Petition stands dismissed.

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