



W.P(MD)No.1602 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.04.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1602 of 2024
and
W.M.P(MD)No.1626 of 2024

Pathampriyal

... Petitioner

Vs.

1.The Union of India,
Represented by its Secretary to Government,
Ministry of Petroleum & Natural Gas,
Shastri Bhavan,
Dr.Rajendra Prasad Road,
New Delhi – 110 001.

2.Hindustan Petroleum Corporation Limited,
Represented by its Chairman cum
Managing Director,
Petroleum House,
Registered Office at
No.17, Jamshedji Tata Road,
Mumbai,
State of Maharashtra – 400 020.

3.Hindustan Petroleum Corporation Limited,
Represented by its Deputy General Manager,



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South Zone, 4th Floor,
No.8, [New No.1], Gandhi Irwin Road,
Egmore,
Chennai – 8.

4.Hindustan Petroleum Corporation Limited,
Represented by its Senior Manager, [MVM],
Madurai Regional Office,
No.167-172, SIDCO Industrial Estate,
South Phase,
Kappalur,
Madurai – 625 008.

5.Hindustan Petroleum Corporation Limited,
Represented by its Regional Manager,
Retail Regional Office,
1st Floor, BSNL CMTS Bhavan,
70 Feet Road,
Ellis Nagar,
Madurai – 600 016.

6.Rajeswaran Dinesh

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 to 5 herein to consider the representation of the petitioner dated 04.01.2024 and to select the petitioner on considering his better merits and eligibility a fresh and select the petitioner for award of Retail HPC Outlet dealership for the place of within 2 kms from Nainarkovil Village, Ramanathapuram District, under CFS Rural Schedule Caste category, by cancelling the selection and award in favour of the sixth respondent within a stipulated period as that may be fixed by this Court.



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For Petitioner : Mr.S.Veeranasamy

For Respondents : Mr.K.Govindarajan
Central Government Standing Counsel
for R.1

Mr.Sridhar for R.2 & R.5

Mr.S.Malaikani for R.6

ORDER

Heard both sides.

2.The Hindustan Petroleum Corporation Limited issued notification inviting applications from eligible persons for awarding dealership for the petition mentioned site. It is stated that the writ petitioner as well as the sixth respondent applied in response thereto. In the online draw of lots, the sixth respondent appears to have been selected. Challenging the same, the present writ petition came to be filed.

3.The petitioner's case is that the sixth respondent has furnished incorrect particulars. This Court has also give an interim order taking note of the contention.

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4.Today, when the matter was taken up for hearing, the learned Standing Counsel appearing for HPCL submitted that in view of the grant of interim order, the process has been put on hold. He states that the fourth respondent will scrutinize all the relevant particulars. The fourth respondent will also take note of the representation dated 04.01.2024 given by the writ petitioner.

5.The learned Standing Counsel categorically states that if the sixth respondent's application is found to be incorrect, the Hindustan Petroleum Corporation Limited will not hesitate to reject the same. In any event, a speaking order will be passed in this regard.

6.This writ petition is disposed of by directing the fourth respondent to pass a speaking order while scrutinizing the application. The fourth respondent will also take in to account the petitioner's objection. Whatever is the decision of the fourth respondent, the same shall be communicated to both the parties i.e the petitioner as well as the sixth respondent. The learned Standing Counsel assures the Court that this exercise shall be completed as expeditiously as possible.



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7.This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

01.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

Note: Issue order copy on 04.04.2024.

To

- 1.The Secretary to Government,
Union of India,
Ministry of Petroleum & Natural Gas,
Shastri Bhavan,
Dr.Rajendra Prasad Road,
New Delhi – 110 001.
- 2.The Chairman cum Managing Director,
Hindustan Petroleum Corporation Limited,
Petroleum House,
Registered Office at
No.17, Jamshedji Tata Road,
Mumbai, State of Maharashtra – 400 020.
- 3.The Deputy General Manager,
Hindustan Petroleum Corporation Limited,
South Zone, 4th Floor,
No.8, [New No.1], Gandhi Irwin Road,
Egmore, Chennai – 8.

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G.R.SWAMINATHAN, J.

MGA

4.The Senior Manager, [MVM],
Hindustan Petroleum Corporation Limited,
Madurai Regional Office,
No.167-172, SIDCO Industrial Estate,
South Phase,
Kappalur,
Madurai – 625 008.

5.The Regional Manager,
Hindustan Petroleum Corporation Limited,
Retail Regional Office,
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