



W.P(MD)No.8394 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2024

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.8394 of 2018

and

W.M.P(MD)No.7945 of 2018

Kalpana Sasivarathan

... Petitioner

Vs

1.The Union of India,
Represented by its Secretary to Government,
Ministry of Petroleum and Natural Gas,
New Delhi.

2.The Hindustan Petroleum Corporation Limited,
Represented by its Deputy General Manager,
LPG Region,
Madurai LPG Regional Office,
Plot No.171-172,
SIDCO Industrial Estate,
Kappalur,
Madurai – 625 008.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records from the second respondent relating to the impugned order dated 27.03.2018 passed in reference No.MDLRO/LPG/Online draw – GV and quash the same and consequently, direct the second respondent to allot the LPG dealership at Thadikarankonam, Thovalai Taluk, Kanyakumari District to the petitioner.



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For Petitioner : Mr.J.Barathan
For R – 1 : Mr.R.Vijayarajan
For R – 2 : Mr.M.Sridher

ORDER

This Writ Petition has been filed challenging the order passed by the second respondent, dated 27.03.2018, thereby rejected the petitioner's candidature and also forfeited the deposit.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The second respondent called for the appointment of dealers for distribution of the Liquefied Petroleum Gas (in short hereinafter referred to as 'LPG') in the State of Tamil Nadu and Puducherry. The petitioner had applied for the appointment of the dealership for the place Thadikarankonam, Thovalai Taluk, Kanyakumari District. It was earmarked for the dealership of the second respondent and it is reserved for scheduled caste (women category). It is to be called as a Gramin Vitrak, since it is located in the rural area. As per the Brochure, if the land offered by the candidate in the application or alternate land offered by the



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candidate at the time of field verification of credentials, as laid down in the notification. Accordingly, the lands shall have a minimum dimension of 21 meters X 26 meters for the LPG godown. Further, the applicant should own a suitable shop for showroom or a plot of land for construction of a showroom of a minimum size of 3 meters X 4.5 meters. On field verification of credentials, if anything is found not meeting the eligibility requirement as stipulated in the brochure, the selected candidate can offer an alternate land owned by the applicant or a member of his family unit.

4.The petitioner applied through online on 12.09.2017 and deposited the amount through a demand draft for field verification of credentials. Accordingly, the field verification of credentials was carried out on 16.12.2017. However, the candidature of the petitioner was rejected by an order dated 27.03.2018 on the ground that as per Clause 8-(A)(m) of the Brochure, the land which was shown in the application does not meet the minimum eligibility criteria dimensional requirement of 21 meters X 26 meters. Further, as per Clause 1-(w)(b) and (18) of the Brochure, the petitioner failed to produce any alternative land.



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5.In view of the above, this Court finds no infirmity or illegality in the order passed by the second respondent, dated 27.03.2018. Therefore, the Writ Petition itself is devoid of merits and the same is liable to be dismissed.

6.Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

12.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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To

1. Secretary to Government,
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Ministry of Petroleum and Natural Gas,
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2. The Hindustan Petroleum Corporation Limited,
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G.K.ILANTHIRAIYAN, J.

ps

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