



W.P.(MD) No.19351 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.19351 of 2017
and W.M.P.(MD).No.15669 of 2017

M.Geetha

... Petitioner

Vs.

1.Indian Oil Corporation Limited,
Rep. by its Managing Director,
G-9, All Yavar Jung Marg,
Bandra (East),
Mumbai – 400 051.

2.Chief Area Manager,
Indian Oil Corporation Limited,
Marketing Division: Indane Area Office,
“Triveni” 2nd Floor, B-35, Shastri Road,
Thillai Nagar,
Tiruchirappalli – 620 018.

3.V.Kavitha

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India,
praying for issuance of Writ of Declaration declaring that the award of
LPG Distributorship at Karur District by the 1st and 2nd respondents to the



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3rd respondent is illegal, arbitrary and against the guidelines of the 2nd respondent of the year 2015.

For Petitioner : Mr.N.Shanmugaselvam
For R1 & R2 : Mr.K.Muraleedharan
For R3 : Mr.AN.Ramanathan

ORDER

Mr.K.Muraleedharan, learned counsel takes notice for the respondents 1 and 2 and Mr.AN.Ramanathan, learned counsel takes notice for the third respondent.

2. Writ petition had been filed seeking for declaration to declare that the award of LPG Distributorship by the first and second respondents in favour of the third respondent is illegal, arbitrary and against the guidelines of the second respondent of the year 2015.

3. The learned counsel for the petitioner would submit that as per the guidelines issued for the year 2015, the same land cannot be shown to



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be held in lease by various authorities, and in the application filed by the third respondent, she had shown the land which had also been leased by the very same land owners and therefore, the application filed by the third respondent is in violation of the guidelines issued by the second respondent and hence, her application should be rejected. He would however contend that from the counter affidavit filed by the third respondent, it came to the knowledge of the petitioner that she is not running the shop in the land that she had shown in her application, but in different place. Therefore, on that ground also, he would submit that the LPG Distributorship granted to the third respondent should be set aside.

4. Countering his arguments, the learned counsel for the first respondent would submit that the LPG Distributorship was granted pursuant to the notification issued in the year 2013 and the same had to be only considered on the guidelines that have prevailed in the year 2013 and not subsequent guidelines which came in the year 2015. He would submit that there has been no such restriction clause in the Brochure of the year 2013. He would further submit that when the land identified by



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the third respondent would not have been found to be suitable, she was directed to give alternate site and on the only alternate site, the third respondent has granted the LPG Distributorship and therefore, there is no infirmity in the act of the second respondent in awarding the LPG Distributorship to the third respondent. He would further submit that the petitioner was found ineligible by the panel, who had also considered the candidature of the applicant.

5. The counsel for the third respondent reiterated the submission of the counsel for the second respondent and would submit that for the past 7 years, she has been successfully running the LPG Distributorship. He would submit that the petitioner having disqualified cannot challenge the grant in the present writ petition.

6. Considered the rival submissions.

7. Admittedly, the selection was made pursuant to the guidelines issued by the second respondent in the year 2013. When selection



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process was proceeded on the basis of the guidelines of Brochure, which had been issued and LPG Distributorship were called upon, the petitioner claims to be complied with the guidelines issued in the year 2015 cannot be accepted. Further, even accepting the case of the petitioner that the land which was shown by the third respondent was found ineligible, upon which, the third respondent had also provided alternate land, only, in which, the third respondent had been granted the LPG Distributorship. In view of the same, I find no merits in the writ petition. This writ petition fails.

8. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

26.11.2024

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

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K.KUMARESH BABU, J.

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