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W.P.No.7716 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.7716 of 2024
and WMP.Nos.8629 to 8631 of 2024

A.Sumathy

... Petitioner

Vs.

1.The Indian Oil Corporation Ltd.,
rep. by its Divisional Manager,
Chennai Divisional Office,
No.500, Anna Salai,
Teynampet, Chennai-600 018.

2.The Junior Engineer,
Operation and Maintenance (Town),
Tamil Nadu Generation and Distribution Corporation Ltd.,
Vettavalam,
Tiruvannamalai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certioraified Mandamus, calling for the records relating to the impugned order dated 08.03.2024 made in Ref: IOC16946964894210 passed by the first respondent, quash the same and consequently, direct the first respondent to issue letter of intent to the petitioner as a dealer for Retail Outlet for the location in the drawal of lot held on 15.12.2023 as communicated in Ref: IOC16946964894210 dated 16.12.2023.



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For Petitioner : Mr.P.Krishnan

For Respondent : Mr.Mohamed Fayaz Ali
No.1

For Respondent : Ms.Daniel Mary, Standing counsel
No.2

ORDER

The impugned order dated 08.03.2024 made in Ref: IOC16946964894210 passed by the first respondent, is put under challenge in the present Writ Petition. Consequently, the petitioner seeks a direction to the first respondent to issue letter of intent to her as a dealer for Retail Outlet for the location in the drawal of lot held on 15.12.2023 as communicated in Ref: IOC16946964894210 dated 16.12.2023.

2. Heard both sides.

3. It is the case of the petitioner that she is a resident of Avoor village at Tiruvannamalai and hailing from a middle class community. The first respondent has invited applications for appointment of dealership of Retail Outlet, for which, the petitioner made application through Online on 14.09.2023 for the place notified as S.No.725-Avoor to Vettavalam on NH38 by paying the initial security deposit. She also furnished all the details of the land/ the proposed place for dealership and a lease agreement was executed

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between the petitioner and the land owner S.Palani for a period of 20 years.

The petitioner was provisionally declared as selected by the first respondent as per the intimation dated 16.12.2023 and thereafter, the Land Evaluation Committee of the first respondent inspected the petitioner's land and found HT lines above 11 KV is crossing the subject land, which does not meet the required norms, for which, the petitioner made a request to the second respondent for relocation of the said lines, however, the second respondent had issued a demand notice to the tune of Rs.2,06,540/- on 08.03.2024 and thereafter, the first respondent had passed the impugned order dated 08.03.2024, rejecting the petitioner's application. Challenging the same, the present Writ Petition.

4. The learned counsel for the petitioner submitted that the petitioner was selected provisionally by the Indian Oil Corporation for Retail Outlet and when the Land Evaluation Committee inspected the land and found HT lines above 11 KV is crossing the petitioner's land, in view of the same, the petitioner made an application for relocation of the HT lines, for which, the second respondent issued a demand notice to the tune of Rs.2,06,540/- which is not affordable by the petitioner, while so, the impugned order dated 08.03.2024 came to be passed by the first respondent. He further submitted that the Court may issue a direction to the respondents to carry out the



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relocation of the electrical lines from the petitioner's land and to confer the Retail Outlet to the petitioner.

5. Per contra, the learned counsel appearing for the respondents submitted that as per the contentions of the learned counsel for the petitioner, shifting of electrical lines is permissible only if the HT line is below 11 KV, however, in the present case, the electrical line passing in the petitioner's land is above 11 KV which is impermissible and the same has been indicated in the brochure issued by the IOC. He added that at the time of inspection, the Land Evaluation Committee (LEC) had found that HT lines above 11 KV is crossing the petitioner's land and therefore, the petitioner is not entitled for Retail Outlet. He also submitted that the Retail Outlet provisional selection is only subject to the land inspection of the LEC and since the electrical line above 11 KV is crossing the petitioner's land, the same is not permissible as per the Guidelines on Selection of Dealers for Regular and Rural Retail Outlets through Draw of Lots / Bidding Process and thus, the petitioner is not entitled for Retail Outlet. Thus, he prayed this Court to dismiss the petition.

6. I have considered the rival submissions made by the respective learned counsels and also perused the materials available on record.



7. Admittedly, the petitioner made an application with the first respondent for Retail Outlet and it is also not disputed that the first respondent had issued the provisional selection licence for the same. Subsequently, when the Land Evaluation Committee inspected the land and found that HT lines above 11 KV is crossing the subject land which is not permissible as per norms and thereby, rejected the petitioner's application. At this juncture, it is relevant to extract the clause of the Guidelines on Selection of Dealers for Regular and Rural Retail Outlets through Draw of Lots / Bidding Process for useful reference which reads as under:

“....

1.Land Evaluation:

The concerned Divisional/Regional/Territory Office shall inform the provisionally selected candidate through e-mail/SMS at least 10 days before the day of visit by LEC for site evaluation. In case of no response/non-availability of the provisionally selected applicant, the candidature shall be cancelled under intimation to the provisionally selected candidate through SMS/e-mail.

i)Evaluation of the offered land will be carried out to ascertain land being in advertised area and suitable for development of RO-meeting norms. The parameters under which



offered land will be evaluated by Land Evaluation Committee for suitability are:-

*Land falls within the advertised area/stretch, as on date of advertisement

*Land dimensions meets requirement after leaving Right of Way (ROW) line of the road.

*Land meets NHAI norms (for sites on NH)

***Land has no HT line (>11 KV) crossing**

Land not meeting any of the above parameters will not be considered and will be rejected.”

8. On perusal of the same makes it clear that the Retail Outlet permission is rejected by the respondents as per the norms of the Guidelines on Selection of Dealers for Regular and Rural Retail Outlets through Draw of Lots / Bidding Process and warrants no interference by this Court. It is also to be noted that no provision is available under Telegraph Act for shifting of the electrical line from the petitioner's land. In the absence of any provision for shiftment of the electrical line, this Court is not in a position to grant the relief as prayed by the petitioner. Accordingly, the Writ Petition stands dismissed. Consequently, connected Miscellaneous Petitions are closed. There shall be no orders as to costs.



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Sd/-

10.11.2025

//True Copy//

Sub Assistant Registrar

DP

To

- 1.The Divisional Manager,
Indian Oil Corporation Ltd.,
Chennai Divisional Office,
No.500, Anna Salai,
Teynampet, Chennai-600 018.
- 2.The Junior Engineer,
Operation and Maintenance (Town),
Tamil Nadu Generation and Distribution Corporation Ltd.,
Vettavalam,
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M.DHANDAPANI.J,

DP

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