



WEB COPY



W.P. No.24551 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2025

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.24551 of 2023

and

W.M.P. No.23966 of 2023

and

W.M.P. No.32610 of 2023

S.Prathima

Petitioner

Vs

1. Union of India
Ministry of Petroleum and
Natural Gas,
New Delhi.

2.The Chief General Manager
Indian Oil Corporation
Southern Region Office
Indian Oil Bhavan
139, Uthamar Gandhi Salai
Chennai 600 034

3.The General Manager



W.P. No.24551 of 2023

(LPG Sales), Indian Oil Corporation
Marketing Division
Indane Area Office
500, Anna Salai,
Teynampet Chennai 600 018.

4.Mr. N. Kuppan

5.N. Swetha

6.The Commissioner
Office at The Block Development
Office, Kundrathur Panchayat Union,
Padappai,
Sriperumbudur Taluk,
Kancheepuram District

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus to call for the records of the speaking order passed by the 2nd respondent dated 02.06.2023 and quash the same and subsequently appoint an independent authority other than the 2nd and 3rd respondents to conduct fresh and fair enquiry and submit the report.

For petitioner : Mr. Sathish Parasaran
Senior Counsel
for Mr.K. Azhagarasan



W.P. No.24551 of 2023

For respondents : Mr.K. Ramanamoorthy
Central Government Standing Counsel for R1
Mr.Mohamed Fayaz Ali
for R2 & R3
Mr.J. Srinivasa Mohan
for M/s.TVS Associates for R4 & R5
Mr. Abishek Murthy for R6

ORDER

This writ petition has been filed to call for the records of the speaking order passed by the 2nd respondent dated 02.06.2023 and quash the same and subsequently appoint an independent authority other than the 2nd and 3rd respondents to conduct fresh and fair enquiry and submit the report

2. Facts in brief :-

a) It is stated that pursuant to a Notification dated 29.03.2018, the petitioner has submitted an application for LPG Distributorship in respect of Chennai Pammal, Kancheepuram District. It is further stated that she is having hearing disability and therefore, she applied under the category “physically handicapped person” for the said distributorship. It is also stated that she



W.P. No.24551 of 2023

submitted the said application along with other details and paid the necessary

fees. The selection for distributorship conducted by draw of lots as there were

more than one and selected candidates will be given a provisional allotment.

Furthermore, based on Field Verification of Credentials, the Letter of Intent will

be issued to the eligible persons, if otherwise, the provisional allotment will be

cancelled. When that being the position, the respondents 2 and 3 bending the

rules, issued the Letter of Intent in favour of the 4th respondent vide

communication dated 24.07.2020, but according to the petitioner, the private

respondents have miserably failed to satisfy the requirements stipulated under

the unified guidelines for selection of LPG Distributorship. Initially aggrieved

over the said communication, dated 24.07.2020, the petitioner filed writ petition

before this Court in W.P. No.11667 of 2020. This Court, vide order dated

04.10.2021 closed the said writ petition, granting liberty to the petitioner to

approach the authorities concerned by placing vital aspects of documentary

evidences in support of her case.

b) Thereafter alleging certain irregularities in the selection, the petitioner



W.P. No.24551 of 2023

submitted several representations stating that the respondents 4 and 5 had relied

on forged documents and were not eligible as per the Unified Guidelines.

Subsequently, she addressed her grievances through RTI and pursuant to which, the Block Development Officer has confirmed that the respondents 4 and 5 neither obtained building approval nor any plan approval and consequently cancelled the No Objection Certificate, vide communication dated 21.06.2021.

Despite the above findings rendered by the Block Development Officer, it is the grievance of the petitioner that the respondents 2 and 3 have issued Letter of Appointment in favour of the respondents 4 and 5 in the name of M/s.Komala Indane Gas Agency. As the issue involved leads to serious consequences, the petitioner given a complaint dated 30.06.2021 before the Petroleum and Explosives Safety Organisation(PESO), IOCL as well as to the Block Development Officer.

c) Further, it is stated that the 6th respondent sent a communication to the 2nd respondent on 14.07.2021 that the alleged planning permit given by the private respondents before the Oil Corporation was actually in favour of one



W.P. No.24551 of 2023

P.Jithendhiran in Varadharahaoyran /survey No.289/32 for building

WEB CONSTRUCTIONS and the documents produced by the 4th and 5th respondents are forged. On the other hand, challenging the cancellation of No Objection Certificate dated 21.06.2021 issued by the Block Development Officer, the 4th respondent filed writ petition in W.P. No.14183 of 2021. Pursuant thereto, the said writ petition was dismissed as withdrawn by granting liberty to the petitioner to approach the authorities concerned for appropriate relief.

d) It is stated that because of the continuous effort taken by the petitioner by way of several legal proceedings and addressing representations before the authorities concerned, lead to some favourable orders from this Court, directing the authorities of IOCL to conduct enquiry and pass appropriate orders. As the order of Distributorship granted in favour of private respondents have not been cancelled by the respondents 2 and 3, the petitioner continued her effort by filing Writ Appeal before this Court in W.A. No.978 of 2023. This Court, vide order dated 27.04.2023 in W.A. No.978 of 2023 ordered notice to the respondents therein and directed to maintain status quo.



W.P. No.24551 of 2023

e) It is the main grievance of the petitioner that the respondents 2 and 3 have failed to comply the directions issued by the Hon'ble Division Bench of this Court on 27.04.2023 in W.A. No.978 of 2023 and conducted enquiry and consequent to which, the impugned Communication dated 02.06.2023 was issued by the 2nd respondent. It is further stated that subsequent to the impugned Communication dated 02.06.2023 issued by the 2nd respondent, the petitioner withdrawn the said Writ Appeal viz., W.A. No.978 of 2023 with liberty to challenge the order dated 02.06.2023. In such circumstances, this writ petition has been filed challenging the said Communication dated 02.06.2023 issued by the 2nd respondent. forged and fabricated documents, in contravention of Clause 26 of the Unified Guidelines.

3. Learned Senior Counsel appearing for the petitioner submitted that certain irregularities had taken place in the selection process of LPG Distributorship at Chennai (Pammal), which lead to awarding distributorship in favour of the private respondents. He mainly argued that fabricated planning documents were submitted by the 4th and 5th respondents to obtain such



W.P. No.24551 of 2023

Distributorship in their favour. He drew the attention of this Court to the clauses, more particularly to Clause 26 of Unified Guidelines for selection of LPG Distributors issued by the respondents Oil Corporation. He further submitted that pursuant to the directions issued by this Court on 28.10.2025, the 6th respondent issued a Communication dated 10.11.2025 stating that Plan Approval in No.035 of 2021 was not issued in favour of the private respondents and the said Planning Approval was issued to one Jithendran and thus the claim of the private respondents is a fabricated one.

4. Learned Senior Counsel vehemently argued that as per Clause 26 of the Unified Guidelines, if any applicant furnishes false information or forged documents, the dealership is liable to be immediately terminated. However, without considering Clause 26, the 2nd respondent has passed the impugned order, which is unsustainable and arbitrary. He further submitted that as per the directions issued by this Court on 17.04.2023, W.P. No.88 of 2023, proper enquiry has to be conducted by the respondents 2 and 3 in the issue involved. However without conducting proper enquiry and that too, status quo order



W.P. No.24551 of 2023

granted by this Court on 27.04.2023 in W.A. No978 of 2023, the 2nd respondent

issued the impugned Communication dated 02.06.2023, which is unfair and the same has to be interfered by this Court. On the aforesaid score, he prayed for allowing of this writ petition by quashing the impugned Communication dated 02.06.2023 issued by the 2nd respondent as well as sought consequential directions to the respondents 2 and 3.

5. Per contra, learned counsel appearing for respondents 2 and 3 would submit that Clause 26 is not attracted to the facts of this case. According to IOCL, the requirement to submit title documents, building approval, etc., arises after obtaining dealership, which is only for the purpose of establishing a storage godown. Reiterating the averments contained in the counter affidavit, he submitted that cancellation of lease deed consequently on account of delay in the selection process would not result in disqualification of the 4th respondent, since as on the date of submission of his application, the 4th respondent was fully qualified. Earlier, the objections filed by the petitioner dated 17.07.2020 was rejected as the eligibility criteria was met out by the 4th respondent and



W.P. No.24551 of 2023

accordingly letter of intent dated 14.09.2020 was issued to the 4th respondent.

He further submitted that the 4th respondent submitted an application to induct her sister, the 5th respondent as a Partner and therefore revised Letter of Intent dated 12.01.2021 was issued.

6. The main argument put forth by the learned counsel for the respondents 2 and 3 is that they have complied the directions issued by this Court on 17.04.2023 in W.P. No.88 of 2023 and conducted enquiry and passed order. He particularly pointed out that in the meeting conducted on 22.05.2023, the petitioner has also participated and later it came to light that status quo order dated 27.04.2023 was issued by this Court in W.A. No.978 of 2023, filed by the petitioner. He vehemently argued that the petitioner voluntarily participated in the enquiry proceedings and submitted her documents and objections before them and sought the respondents to pass orders, forcibly. In such a position, the order dated 02.06.2023 was passed and the same was communicated to the petitioner and the same was put to challenge in this writ petition. He further submitted that though it is the contention of the petitioner that fabricated documents were submitted by the private respondents, the



W.P. No.24551 of 2023

petitioner has not taken any steps to prove the said contention and therefore, the

respondents 2 and 3 cannot invalidate the selection. However, he fairly submitted that they are prepared to consider the petitioner's objections strictly in terms of Clause 26 of the Unified Guidelines and pass orders after affording opportunity to the petitioner as well as private respondents. In view of the above, this Court may issue appropriate directions in the above regard.

7. The learned counsel appearing for respondents 4 and 5 submitted that after obtaining requisite documents, the distributorship agreement was entered into between them and respondents Oil Corporation on 28.12.2022. He further submitted that the respondents 2 and 3 have obtained necessary clearance from PESO, so, the petitioner is unnecessarily harassing the respondents 4 and 5 by filing various petitions alleging that they have submitted forged and fabricated documents. According to him, the present litigation is a frivolous one with personal vengeance of the petitioner and therefore, no interference is warranted. In the light of the above, this Court may issue suitable directions .

8. Heard the learned counsel on either side and perused the materials



W.P. No.24551 of 2023

placed on record before this Court.

WEB COPY

9. It is not in dispute that the petitioner and the private respondents have applied for LPG Distributorship. It is an undisputed fact that the private respondents have been selected for such distributorship on draw-lot basis. It is the contention of the petitioner that fabricated documents have been submitted by the private respondents for obtaining such Distributorship in their favour and therefore, the petitioner lodged a complaint before the official respondents initially. Further, it is the main argument of the learned Senior Counsel for the petitioner that in terms of Clause 26 of Unified Guidelines for selection of LPG Distributor, false information / fabricated documents submitted by the candidate would certainly disqualify the selected candidature. In the instant case, the private respondents have not submitted planning permit for the leased property in their favour and the same stood in the name of one Jithendran. In support of the petitioner's contention with regard to the above, learned Senior Counsel relied much on the communication issued by the 6th respondent dated 10.11.2025. On perusal of record, it is evident that the petitioner has filed



W.P. No.24551 of 2023

multiple writ petitions in respect of the aforesaid distributorship, but the overall

motio is to stall the operation of the distributorship issued in favour of the private respondents. On the contrary, from the arguments of the learned counsel for the respondents 2 and 3, it is clear that after obtaining approvals from PESO as well as on receipt of No Objection Certificate, the LPG Distributorship was awarded in favour of the private respondents. Further, it is clear that the respondent / Oil Corporation has conducted enquiry and in which the petitioner as well as the private respondents have participated. This Court also perused the Minutes of the said enquiry conducted by the respondents / Oil Corporation.

10. Considering all the above, this Court is of the view that there are disputed questions of fact with regard to alleged fabrication of documents involved in awarding LPG Distributorship. Further, there is also no clarity as to whether Clause 26 of Unified guidelines issued by the respondent Oil



W.P. No.24551 of 2023

Corporation has been followed or not. Further, this Court is of the view that the

allegation of fabrication of plan alleged to have been submitted by the private respondents would cause serious issue which goes to the root of the selection process and which issue has to be decided by the respondent / Oil Corporation.

11. Even if such document was produced after grant of dealership, the respondents 2 and 3 must examine whether furnishing forged documents violates Clause 26 of Unified guidelines, particularly when No Objection Certificate and statutory permissions were obtained based on such document. Though it is the stand of the respondent / Oil Corporation that an enquiry was conducted and a speaking order dated 02.06.2023 was passed, it is to be noted that when a status quo order was granted, how come the respondent/ Oil Corporation passed the impugned order in which they have concluded that if any false information has been furnished by the applicant therein or any of the Partners during the selection process, action will be taken against them. The aforesaid rider clause is only to safeguard the interests of the respondent / Oil Corporation as also in public interest and in view of the materials pointed out



W.P. No.24551 of 2023

above, this Court has to necessarily issue suitable directions which would not

only give a quietus to the issue but also would be in the interest of justice and also a justifiable act.

12. In the result, having regard to the nature of allegations levelled by the petitioner and the stand taken by respondents, and in view of the dispute raised relating to alleged fabrication of planning permission and other documents said to have been submitted by the respondents 4 and 5, this Court is of the considered view that a fresh and comprehensive enquiry is required to be conducted by the respondent / Oil Corporation in compliance with the Unified Guidelines in a strict manner.

13. Accordingly, while setting aside the impugned communication dated 02.06.2023 issued by the 2nd respondent and remanding the matter to the 2nd respondent by disposing of the writ petition, the following directions are issued :-

a) The petitioner as well as respondents 4 and 5 shall produce all documents / records relied upon by them to substantiate their claim before the



W.P. No.24551 of 2023

2nd respondent.

WEB COPY

b) The 2nd respondent shall conduct a joint hearing with the petitioner and the private respondents, within a period of four weeks from the date of receipt of a copy of this order.

c) After conducting a joint hearing, all documents have to be verified in detail by the 2nd respondent.

d) On completion of the aforesaid task and ascertainment as to whether any false / fabricated information was furnished by the parties, the 2nd respondent shall pass a detailed and speaking order strictly in accordance with Clause 26 of Unified Guidelines for selection of LPG Distributor. Pursuant to the outcome of the enquiry, it is for the respondent / Oil Corporation to take action against the erring person.

e) The overall exercise should be completed within a period of six months from today.

f) The 2nd respondent shall pass orders without being influenced by any observations made in this order.



W.P. No.24551 of 2023

g) No costs. Consequently, connected miscellaneous petitions are closed.

WEB COPY

12.11.2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

vsi2

M. DHANDAPANI, J.

vsi2

To

1. Union of India

Ministry of Petroleum And
Natural Gas, New Delhi.

2. The Chief General Manager

Indian Oil Corporation

Southern Region Office

Indian Oil Bhavan

139, Uthamar Gandhi Salai

Chennai 600 034

3. The General Manager

17/18



W.P. No.24551 of 2023

(LPG Sales), Indian Oil Corporation
Marketing Division
Indane Area Office
500, Anna Salai,
Teynampet Chennai 600 018.

4.The Commissioner
Office at The Block Development
Office, Kundrathur Panchayat Union,
Padappai,
Sriperumbudur Taluk,
Kancheepuram District

W.P. No.24551 of 2023
and
W.M.P. No.23966 of 2023
and
W.M.P. No.32610 of 2023

12.11.2025