



W.P.No.42921 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.42921 of 2025

And

W.M.P.Nos.48000 and 48002 of 2025

A.Nandhini

... Petitioner

Vs.

1 INDIAN OIL CORPORATION LTD,
REP. BY ITS CHIEF GENERAL MANAGER
(RETAIL SALES HEAD), MARKETING DIVISION (TNSO),
INDIAN OIL BHAWAN,
139, UTHAMAR GANDHI SALAI,
NUNGAMBAKKAM,
CHENNAI – 600 034.

2 INDIAN OIL CORPORATION LTD,
REP. BY ITS DIVISIONAL RETAIL SALES HEAD,
MARKETING DIVISION,
TRICHY DIVISIONAL OFFICE,
"TIRUVENI" 3RD FLOOR
B-35, SHASTRI ROAD,
THILLAI NAGAR,
TRICHY – 620 018.

3 CHINNASAMY

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 22.10.2025 made in Ref: TchDO/Recon/



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Lakshmi Narayana Agencies/247377/1 issued by the second respondent quash the same and consequently allow the petitioner to re-submit the original application and documents uploaded on 14.03.2025 in Application No. 1-1262767015652 and direct the respondents 1 and 2 to process the application without insisting no objection certificate from the third respondent.

For Petitioner : Mr.G.Ethirajulu
For Respondents : Mr.R.Sreedhar for R1 and R2

O R D E R

Mr.R.Sreedhar, learned counsel takes notice on behalf of the respondents 1 and 2. Since this Court is not inclined to pass any adverse order as against the third respondent, notice to the third respondent is dispensed with. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 22.10.2025 made in Ref: TchDO/Recon/ Lakshmi Narayana Agencies/247377/1 issued by the second respondent quash the same and consequently allow the petitioner to re-submit the original application and documents uploaded on 14.03.2025 in Application No. 1-1262767015652 and direct the



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respondents 1 and 2 to process the application without insisting no objection certificate from the third respondent.

3.The learned counsel appearing for the petitioner submitted that the first respondent issued an advertisement dated 25.08.2009 calling for application to locate petrol bunk under the Scheme of Kisan Seva Kendra Operatorship of Open Category at Pudupattu Village, then Villupuram District now Kallakurichi District, pursuant to which, the petitioner's husband made application for dealership and dealership was given to him through LAO.Ref.No.2010/TN000036/4105/00001 dated 28.01.2011 and consequently an agreement was executed on 11.05.2011 between Indian Oil Corporation Limited and M/s.Lakshmi Narayana Agencies represented by its sole Proprietor namely C.Ashok Kumar/ petitioner's husband.

4.The learned counsel appearing for the petitioner further submitted that the petitioner's husband died on 20.11.2024. Thereafter, the petitioner intimated the same to the respondents and filed an application for dealership re-constitution proposal in SDMS Portal indicating the proposed dealership structure based on the eligibility of the petitioner dated 14.03.2025 and the same was



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firstly, upon the heirs being the relatives specified in Class I of the Schedule; secondly, if there is no heir of Class I, then upon the heirs, being the relatives specified in Class II of the Schedule; thirdly, if there is no heir of any of the two Classes, then upon the agnates of the deceased; and lastly, if there is no agnate, then upon the cognates of the deceased as prescribed in Schedule heirs in Class I.

6.The learned counsel appearing for the respondents 1 and 2 fairly submitted that legal heir certificate is only a relationship certificate indicating the names of the persons and their relationship with the deceased and further submitted that when Class I legal heir is available, insisting the petitioner to obtain no objection from Class II legal heir is not sustainable one.

7.Heard the arguments advanced on either side and perused the materials available on record.

8.Admittedly, the petitioner is the Class I legal heir of the deceased C.Ashok Kumar and the third respondent is the Class II legal heir. When Class I legal heir is available, insisting the petitioner to



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obtain no objection from Class II legal heir is not sustainable one.

Further, this Court in the order dated 17.06.2022 made in W.P.No.25247 of 2021 has held that legal heir certificate is only a relationship certificate indicating the names of the persons and their relationship with the deceased.

9.In view of the above, the order dated 22.10.2025 made in Ref: TchDO/Recon/ Lakshmi Narayana Agencies/247377/1 issued by the second respondent is set aside. The petitioner is permitted to re-submit the original application and documents uploaded on 14.03.2025 in Application No.1-1262767015652. The respondents 1 and 2 are directed to process the petitioner's application without insisting no objection certificate from the third respondent.

10.The writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

12.11.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No



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To

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