



W.A(MD) No.963 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 13.02.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.A(MD) No.963 of 2021
and
C.M.P.(MD)No.4329 of 2021**

The Officer Incharge,
Indian Oil Corporation Ltd.,
Marketing Division, Indane Area Office,
“Triveni” II Floor, B-36, Shastri Road,
Thillai Nagar, Trichy-620 018.

... Appellant / Respondent

Vs

1.V.Dhanasekaran

... Respondent / Petitioner

2.Abithabee

(R2 is impleaded as per the order of this Court
dated 29.11.2024 made in CMP(MD)No.15854 of 2023
in WA(MD)No.963 of 2021 by TKRJ & NSJ) ... Respondent

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the Judgment and order dated 01.04.2021 in W.P.No.4995 of 2017 passed by this Court by allowing the writ appeal and dismiss W.P.(MD)No.4995 of 2017.



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For Appellants : Mr.K.Muraleedharan

For Respondents : Mr.P.Venkatesan
for R2

: No appearance for R1

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. Thiru.V.Dhanasekaran / first respondent herein sought distributorship from the Indian Oil Corporation Limited. His request was rejected. Questioning the same, Dhanasekaran filed W.P.(MD)No.4995 of 2017. The writ petition was allowed vide order dated 01.04.2021. Challenging the same, the Indian Oil Corporation Limited has filed this writ appeal.

3. Even though notice was issued to the first respondent, he has not chosen to enter appearance. His name is printed in the cause list. There is a reason for the first respondent for not contesting this writ appeal. Because of the proceedings instituted by the first respondent, the case of



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the second respondent could not be considered. The selection of the second respondent got upset.

4. When the matter was taken up for hearing, the learned standing counsel for IOCL submitted that Dhanasekaran has become the Government servant now. He has already joined as Junior Assistant in the Government school. Therefore, he becomes technically disqualified to be a distributor of IOCL.

5. In view of the subsequent development, the order dated 01.04.2021 passed by the learned single Judge in allowing W.P.(MD)No. 4995 of 2017 is set aside. It is for the appellant corporation to deal with the matter in accordance with law. The writ appeal is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (M.J.R., J.)
13.02.2025

Index : Yes / No
Internet : Yes / No
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