



W.P. No.29836/2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 11.03.2026

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO.29836 OF 2024

AND

W.M.P. NO. 32534 OF 2024

P.City Babu

.. Petitioner

- Vs -

1. Indian Oil Corporation Ltd.
Rep. By its Chairman & Managing Director
Indian Oil Bhavan, G-9, Ali Yavar Jung Marg
D-Block, Naupada, Bandra East
Mumbai, Maharashtra 400 051.
2. The General Manager (Marketing Division)
Indian Oil Corporation Ltd. (IOCL)
No.139, Nungambakkam High Road
Chennai 600 034.
3. Division Head
Trichy Division, Indian Oil Corporation of India
Trichy Divisional Office
Triveni, 3rd Floor, No.B-35, Shastri Road
Thillai Nagar, Trichy 620 018.

4. T.Sugumaran

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus to call for the records of the provisional



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selection awarded to the 4th respondent, T.Sugumaran, for the retail outlet of Indian Oil Corporation Ltd. (IOCL) at Ladapuram under SC category vide the online selection result uploaded on 25.09.2024 and quash the same and consequently direct the respondents 1 to 3 to award the retail outlet of IOCL dealership at Ladapuram under SC Category to the petitioner.

For Petitioner : Mr. P.T.Perumal

For Respondents : Mr. R.Sreedhar, GA for
RR-1 to 3
No Appearance for R-4

ORDER

Aggrieved by the rejection of the dealership application of the petitioner under the SC category in the Group 1 class and the consequential award of the same in favour of the 4th respondent by respondents 1 to 3, the present writ petition has been directed against the said order.

2. It is the case of the petitioner that pursuant to the advertisement dated 28.6.2023 of respondents 1 to 3 pertaining to allotment of retail outlet dealership, the petitioner submitted his application on 17.10.2023 towards which the petitioner received an e-mail confirmation dated 10.02.2024 inviting him to participate in the 'draw of lots'. Subsequently, vide communication dated 22.2.2024, the petitioner was



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informed of his provisional selection for dealership and was requested to upload the requisite documents. Though the petitioner uploaded all the documents, but for one, relating to the land documents, as at the requisite time, there was a dispute in the subdivision of 30 cents of land offered by the petitioner's father on lease out of the 69 cents in S. No.234/1A, the said document was not accepted online. Thereafter, vide e-mail dated 20.05.2024, the petitioner was called upon to upload the rectified documents on or before 10.06.2024. Since, according to respondents 1 to 3, as the petitioner has not uploaded the rectified documents within the stipulated time, the candidature of the petitioner was found to be ineligible for consideration under the Group 1 category, but could only be considered for selection along with the applicants under Group 3 as per guidelines.

3. Aggrieved by the said order, the petitioner sent a representation on 2.8.2024 seeking his selection under Group 1 category. Since the said representation was not considered, the petitioner filed W.P. No.28615/2024 and this Court, vide its order dated 23.09.2024 directed the 3rd respondent to pass appropriate orders. However, without taking into consideration all the relevant facts and documents, the respondents rejected the representation of the petitioner and selected the 4th respondent under Group 1 category aggrieved by which the present petition has been preferred by the petitioner.



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4. Learned counsel appearing for the petitioner, reiterating the aforesaid averments as stated in the affidavit, further submitted that though there was delay in uploading the documents, however, the petitioner has uploaded the necessary documents on 25.5.2024 and 03.06.2024, but erroneously the same was not considered and the candidature of the petitioner was rejected, which is *per se* perverse and unsustainable.

5. It is the further submission of the learned counsel for the petitioner that as per clause (p) of the Guidelines, the scrutiny of documents was to be carried out only at the time of Field Verification of Credentials and, therefore, even if the petitioner had belatedly uploaded the documents, as alleged, the process of selection is a continuous process and, therefore, the verification of documents could be done at the time of Field Verification as well. However, without considering the said aspect, the respondents 1 to 3 rejected the application of the petitioner without giving necessary weightage to the aforesaid facts, on technicalities and flimsy reasoning, which cannot be sustained.

6. It is the further submission of the learned counsel that the hurried manner in which the case of the petitioner has been rejected and the case of the 4th respondent



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has been considered and approved, shows clear favoritism, as the time given for compliance to the petitioner and the 4th respondents to upload the documents would establish the said fact. Accordingly, the petitioner prays for allowing the present writ petition with an affirmative direction to the respondents 1 to 3 to select and appoint the petitioner.

7. Per contra, learned standing counsel appearing for respondents 1 to 3 submitted that applications were called for under SC category in three groups of which the petitioner has applied under Group 1 in which the applicants would either fall under the category of owning the lands or were having a lease for a minimum period of 19 years and 11 months. It is the further submission of the learned counsel that when the application is uploaded, the requisite documents relating to the land and also initial security deposit were also to be uploaded. However, while the petitioner has uploaded the application, he did not upload the necessary documents relating to the lands, which prompted the respondents to call upon the petitioner by email dated 22.2.2024 to upload the documents and therein, it was specifically mentioned that if the documents relating to land and initial security deposit are not uploaded by 3.3.2024, the candidature would be cancelled.



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8. It is the further submission of the learned counsel that the settlement deed was entered into by the petitioner only on 2.8.2024, much after the deadline given to the petitioner for uploading the documents, viz., 10.6.2024 and the processing of Group 1 applications commenced on 13.9.2024 and on the date when the whole application process was closed, the petitioner was neither the owner nor lessee of the land and, therefore, not entitled for consideration of his candidature under the Group 1 category. Rightly the respondents 1 to 3 have considered the case of the petitioner in the light of the order passed by this Court on 23.9.2024 and had rejected the case of the petitioner, which is in accordance with law and, therefore, the same does not warrant any interference.

9. This Court gave its careful consideration to the submissions advanced by the learned counsel appearing on either side and perused the materials available on record.

10. Selection of Dealers for regular and rural retail outlets was undertaken by the respondents 1 to 3 and in this regard application was called for by providing the necessary particulars as sought for in the brochure. Clause 4 of the said brochure relates to eligibility criteria for individual applicants – proprietorship/partnership and sub-clause



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(vi) therein relates to land, which is applicable to all categories which provides as

under :-

“vi) Land (Applicable to all categories):

The applicants would be classified into three groups as mentioned below based on the land offered or land not offered by them in the application form:

Group - 1: Applicants having suitable piece of land in the advertised location/area either by way of ownership/long term lease for a period of minimum 19 years 11 months or as advertised by the OMC.

Group - 2: Applicants having Firm Offer for a suitable piece of land for purchase or long-term lease for a period of minimum 19 years 11 months or as advertised by the OMC.

Group-3: Applicants who have not offered land in the application. Only applicable for locations advertised under SC/ST category.

Applications under Group - 3 would be processed/advised to offer land (Annexure - D) only in case no eligible applicant is found or no applicant get selected under Group-18 Group-2.

In case land offered by all the applicants under Group 1 & Group 2 is found not suitable/not meeting requirements, then these applicant/s under Group - 1 & Group-2 along with applicants under Group - 3 (who did not offer land along with application) would be advised by the OMCs to provide suitable land in the advertised location/stretch, within a period of 90 days from the date of issuance of intimation letter to them through SMS/e-mail. In case the applicant fails to provide suitable land within the prescribed period, or the land



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provided is found not meeting the laid down criteria, the application would be rejected.

The other conditions with respect to offering of land are as under:

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a) The land should be available with the applicant as on the date of application and should have minimum lease of 19 years and 11 months (as advertised by respective oil company) from the date or after the date of advertisement but not later than the date of application. If the offered land is on long-term lease and there are multiple owners, then lease deed should be executed by all co-owners of the offered plot. In case lease deed is not executed by all co-owners such lease deed shall be treated as invalid.

** * * * **

(Emphasis Supplied)

11. It is not in dispute that the petitioner has submitted his application under the Group 1 category, which provides that the applicant should either have the land parcel as the owner of the said land or should have a minimum lease of 19 years 11 months on the date of submission of the application. It is the admitted case of the petitioner that on the date when the application was filed, the land, which is sought to be projected in the application was not available with the petitioner, but was in the name of his father. Therefore, the petitioner, on the date is not the owner of the lands. Further, on the date of the application, the petitioner was not having any lease over the said property from his father.

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12. It is evident from the records and not disputed by the petitioner that on the date when the application was filed, the petitioner was not having ownership of the lands nor was holding a lease. However, a settlement was entered into only on 2.8.2024, much after the deadline of 10.6.2024, which was provided by the respondents for submitting the details with regard to ownership/leasehold rights over the lands, which is sought to be projected on behalf of the applicant.

13. It is the stand of the petitioner, by pointing out to the Note-1 appended to the brochure that only while evaluating the land at the time of Field Verification, confirmation of land which has been offered by the applicant will be considered and, therefore, there would be no embargo for the respondents 1 to 3 to consider the settlement deed, even if it is filed after the prescribed period, but before the actual field verification is carried out. However, such a contention cannot be permitted for the reason that it is incumbent on the part of the applicant to spell out the land, which is offered for establishment of the outlet along with requisite documents to establish his ownership/leasehold rights to the said lands and only after satisfying the status of the applicant with regard to the said land, the field verification would be carried out and, therefore, the submission of the documents to establish the right to the land so offered



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by the applicant for the establishment of the outlet is necessary at the initial stage itself

to determine the right of the applicant to the said land and the applicant cannot be permitted to take his sweet little time to submit the documents, that too beyond the extended period given to the applicant/petitioner.

14. Further, even as early as on 17.7.2024, the respondents have put the petitioner on notice with regard to non-submission of the requisite documents with regard to the land offered by the petitioner for which no clarification was submitted by the petitioner. Based on the non-submission of the relevant documents, the candidature of the petitioner was found ineligible for Group 1 applicants and it was also informed that the candidature of the petitioner may be considered for selection along with Group 3 applicants as per guidelines. Only after rejection of the candidature of the petitioner, the earlier writ petition in W.P. No.28615/2024. Therefore, once the candidature of the petitioner had been held to be ineligible, without challenging the same, the petitioner has given representation, which was directed to be considered and which resulted in rejection of the said representation. Only after the ineligibility of the petitioner was informed the settlement deed had come to be executed on 2.8.2024. Therefore, it is clear that the lands, which were necessary to have been either owned or



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leased by the applicant, was not in possession of the petitioner on the date when the candidature of the petitioner was found to be ineligible.

15. Further, it is borne out by record and not disputed by the petitioner that the settlement deed was entered into only on 2.8.2024 and that being the case, the stand of the petitioner that he had uploaded the documents within the time on 25.5.2024 and 3.6.2024 cannot be believed, that too in the absence of any proof to establish that such documents were existing and were uploaded. In the light of the fact that the petitioner was not in possession of any rights over the said lands on the date when the application was submitted and even within the time prescribed for uploading of the documents, the respondents 1 to 3 have rightly rejected the candidature of the petitioner and the said order does not warrant interference.,

16. Accordingly, for the reasons aforesaid, there are no merits in this writ petition and the same is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

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To

1. Chairman & Managing Director
Indian Oil Corporation Ltd.
Indian Oil Bhavan, G-9, Ali Yavar Jung Marg
D-Block, Naupada, Bandra East
Mumbai, Maharashtra 400 051.
2. The General Manager (Marketing Division)
Indian Oil Corporation Ltd. (IOCL)
No.139, Nungambakkam High Road
Chennai 600 034.
3. Division Head
Trichy Division, Indian Oil Corporation of India
Trichy Divisional Office
Triveni, 3rd Floor, No.B-35, Shastri Road
Thillai Nagar, Trichy 620 018.



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M.DHANDAPANI, J.

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