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W.P.No.49670 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.01.2026

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.49670 of 2025
and WMP.No.55511 of 2025

S.Ahilan

President of “Southern Region S.C. / S.T.

& M.S.E. L.P.G. Tanker Owners Association”

Having its registered office at :

Door No.186/4, Kavim-Harzha Complex

II Street, Nethaji Nagar

Trichy Main Road

Namakkal District – 637 001.

... Petitioner

Vs.

1.Union of India

Rep. by its Secretary

Ministry of Petroleum and Natural Gas

Shastri Bhavan

New Delhi – 110 001.

2.Indian Oil Corporation Limited

Represented by its Chairman and Managing Director (CMD)

Indian Oil Bhavan

G-9, Ali Yavar Jung Marg

Bandhra East

Mumbai – 400 051.

3.Bharat Petroleum Corporation Limited

Represented by its Chairman and Managing Director (CMD)

Bharat Bhavan, 4 & 6 Currimbhoy Road

Ballard Estate, Mumbai – 400 001.



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4.Hindustan Petroleum Corporation Limited
Represented by its Chairman and Managing Director (CMD)
Petroleum House
17, Jamshedji Tata Road
Mumbai – 400 020.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration to declare that the amendment made in Sl.5 of Corrigendum No.6 dated 04.04.2025 issued by the Respondent No.2 and Corrigendum No.3 issued on 04.04.2025 by the Respondents 3 and 4 as unconstitutional and illegal and consequently declare all the bids accepted by the Respondents 2 to 4 herein relying on Agreement to Sale (ATS) as a substitute for ownership for Pre-Qualification Criteria as illegal, ultra vires, and void ab initio and pass orders.

For Petitioner : Mr.B.M.Subash

For Respondents : Mr.Sathyan
Central Government Standing Counsel [R1]
Mr.M.Vijayan
for M/s.King and Partridge [R2 to R4]

ORDER

The petitioner claiming to be the President of the Southern Region S.C. / S.T. & M.S.E. L.P.G. Tanker Owners Association, has filed the above writ petition for the following relief :

“ To issue a Writ of Declaration to declare that the amendment made



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in Sl.5 of Corrigendum No.6 dated 04.04.2025 issued by the Respondent No.2 and Corrigendum No.3 issued on 04.04.2025 by the Respondents 3 and 4 as unconstitutional and illegal and consequently declare all the bids accepted by the Respondents 2 to 4 herein relying on Agreement to Sale (ATS) as a substitute for ownership for Pre-Qualification Criteria as illegal, ultra vires, and void ab initio.”

2. The petitioner is aggrieved by the Corrigendum published by the second respondent on 04.04.2025 bearing No.6, in and by which, the second respondent had amended the Clause No.5 pertaining to the details of Pre Qualification Criteria (in short ‘PCC’) Documents and Ownership, in the original tender issued on 01.03.2025. The tender was issued for bulk LPG Transportation by Road. Earlier, in the original tender, the respondents made it mandatory that the bidder should offer Tank Trucks duly licensed for transportation of LPG in an operating condition and registered in their name or attached to them. It was also made clear that in case the bidder offers trucks under the SC category, then the registered owners of the trucks must belong to the Scheduled Caste community. Thereafter, by the above referred Corrigendum, the conditions with reference to all the trucks being owned by the Scheduled Castes / Scheduled Tribes were given a go bye.

3. The petitioner would submit that non-SC bidders shall also enter



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into the arena by bidding in the name of SC candidates. The petitioner is aggrieved by the same. As to the reasons for seeking the above referred declaration, the only contention of the petitioner is that this would dilute the efficacy of the reservation policy.

4. Heard Mr.B.M.Subash, the learned counsel for the petitioner and Mr.M.Vijayan of M/s.King and Partidge for respondent and this Court also perused the materials placed before it.

5. A mere reading of the affidavit would indicate that the petitioner is seeking to espouse a private grievance. That apart, the Corrigendum has been issued as early as 04.04.2025. It is further represented by Mr.M.Vijayan of M/s.King & Partridge, that the entire contract has been awarded and LoAs have been issued to all the contractors . Therefore, the writ petition has to be dismissed on the ground of laches. That apart, this Court is unable to understand as to how the members of the petitioner-Association would be aggrieved, since the dilution of the clause with reference to ownership would also be to the advantage of the members belonging to the SC/ST community.



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6. I therefore see no merits in the writ petition and accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

05.01.2026

Index : Yes / No

Neutral Citation : Yes / No

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To:

1.The Secretary

Ministry of Petroleum and Natural Gas
Shastri Bhavan
New Delhi – 110 001.

2.Indian Oil Corporation Limited

Represented by its Chairman and Managing Director (CMD)
Indian Oil Bhavan, G-9, Ali Yavar Jung Marg
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P.T. ASHA, J,

ds

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