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APHC010498342025



**IN THE HIGH COURT OF ANDHRA PRADESH**

**AT AMARAVATI**

**[3327]**

**(Special Original Jurisdiction)**

THURSDAY, THE TWELFTH DAY OF MARCH  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY**

**WRIT PETITION NO: 25423/2025**

**Between:**

1. YARLAGADDA ABBULU,, S/O. Y. PATTABHI, AGED ABOUT  
34 YEARS, R/O. D.NO.9-124, RAYAVARAM HABITAT,  
VEDURUPAKA VILLAGE, RAYAVARAM MANDAL, EAST  
GODAVARI DISTRICT, ANDHRA PRADESH - 533346.

**...PETITIONER**

**AND**

1. UNION OF INDIA, REP. BY ITS SECRETARY, MINISTRY OF  
PETROLEUM AND NATURAL GAS SHASTRI BHAVAN,  
NEW DELHI.  
2. INDIAN OIL CORPORATION LIMITED, THE EXECUTIVE  
DIRECTOR AND THE STATE HEAD, TELANGANA AND  
ANDHRA PRADESH STATE OFFICE, MOOSAPET,  
HYDERABAD, TELANGANA.  
3. THE HEAD OF DIVISIONAL OFFICE, INDIAN OIL  
CORPORATION LIMITED, LIE BUILDING, 8TH FLOOR,  
NEAR RTC COMPLEX, VISAKAHAPATNAM.

**...RESPONDENT(S):**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondent authorities in

rejecting the petitioner application vide ref IOCL16944339800718 dated 11.09.2025 by the 3rd respondent and moved the application from Group-2 to Group-3 level though the petitioner was provisionally selected for award of Retail Outlet Dealership at FROM NH 216 JUNCTION TO NEW BUS STAND, YANAM ON DRAKSHARAM ROAD WITHIN YANAM MUNICIPAL LIMITS (NOT NH) State PUDUCHERRY District YANAM, is highly illegal, arbitrary, discriminatory and violation of Article 14, 19,21 and 300(A) of the Constitution of India and hence the impugned rejection order is liable to be set aside and consequently direct the 3rd respondent to continue/process the petitioner application at Group-2 level and issue Letter of Intent for award of Retail Outlet Dealership at FROM NH 216 JUNCTION TO NEW BUS STAND, YANAM ON DRAKSHARAM ROAD WITHIN YANAM MUNICIPAL LIMITS (NOT NH) State PUDUCHERRY District YANAM as the petitioner uploaded all the required documents without reference to the rejection order

**IA NO: 1 OF 2025**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 3rd respondent to continue/process the petitioner application at Group-2 level and issue Letter of Intent for award of Retail Outlet Dealership at FROM NH 216 JUNCTION TO NEW BUS STAND, YANAM ON DRAKSHARAM ROAD WITHIN YANAM MUNICIPAL LIMITS (NOT NH) State PUDUCHERRY District YANAM by suspending impugned rejection order as the petitioner uploaded all the required documents, pending disposal of the Writ Petition

**IA NO: 2 OF 2025**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to direct the respondent authorities to consider the representation filled along with the rectified all the curable documents dated 19.09.2025 and continue the application under Group-2 level without reference to the orders dated 11.09.2025 & 13.10.2025 and pass

**Counsel for the Petitioner:**

1.K SATYANARAYANA MURTHY

**Counsel for the Respondent(S):**

1.M UMA DEVI (CENTRAL GOVT COUNSEL)

2.S.V.S.S.SIVA RAM

This court made the following:

THE HON'BLE SRI JUSTICE K.SREENIVASA REDDY  
WRIT PETITION No.25423 of 2025

ORDER :

This Writ Petition is filed seeking to declare the action of respondents in rejecting petitioner's application vide Ref. No.IOCL 16944339800718, dated 11.09.2025 issued by 3<sup>rd</sup> respondent and moving the application from Group-2 to Group-3 level though the petitioner was provisionally selected for award of Retail Outlet Dealership at the location 'From NH 216 Junction to New Bus Stand, Yanam, on Draksharam Road within Yanam Municipal Limits' in Yanam District, Union Territory of Puducherry (hereinafter referred to, as 'the subject outlet'), as illegal and arbitrary, and consequently set aside the rejection order and direct 3<sup>rd</sup> respondent to continue/process the petitioner's application at Group-2 level and issue Letter of Intent for award of Retail Outlet at the aforesaid location.

2. Contents of the affidavit filed by the petitioner in support of the Writ Petition, in brief, are as follows.

Petitioner belongs to Scheduled Caste community. He is a physically disabled person, with 90% disability.

Pursuant to a Notification dated 28.06.2023 issued by 3<sup>rd</sup> respondent-IOC, the petitioner submitted online application dated 10.07.2023 seeking allotment of subject retail outlet, under SC(PH) category in Group-2. He obtained willingness from land owner for leasing out the site situated in Ward No.A, Block No.9, TS No.28/3, R.S.No.124pt, CS No.13/1/2pt, Patta No.92, Mettacur, Yanam, either to the IOC or to him, if the dealership is awarded to him for setting up the retail outlet. Pursuant to his application, IOC issued a letter of reference No.IOC16944339800718, dated 26.6.2025, informing him that he got qualified for draw of lots for selection of the dealership and asking him to be present on 7.7.2025 at 11.30 AM at HPC Regional office, Tadepalli, Guntur district. Later, he received another letter of reference dated 10.7.2025 informing him that he got provisionally selected for award of the subject retail outlet under Group-2 category. Pursuant thereto, as informed by the company, the petitioner uploaded the requisite documents along with Rs.30,000/- towards initial

security deposit on 28.7.2025, which was confirmed by the IOC.

On 13.08.2025, IOC sent another a letter advising the petitioner to upload the documents (rectifiable deficiencies) mentioned therein, by 03.09.2025 for further processing of his application. But, due to ill-health as he was suffering from Bacterial Meningitis from 2<sup>nd</sup> week to 4<sup>th</sup> week of August, 2025, the petitioner could not check or verify his e-mail inbox.

It is the case of the petitioner that the petitioner was suffering from locomotor/orthopaedic disability with 90% disability and he was totally bedridden due to Bacterial Meningitis and did not have access to any computer during 2<sup>nd</sup> week to 4<sup>th</sup> week of August, 2025. On 08.09.2025, with the help of his friend, he forwarded message through Whatsapp to IOC, Visakhapatnam requesting to send status of his application, for which he received a letter on 11.09.2025 stating that in view of non-submission of the documents mentioned in rectifiable deficiencies, the petitioner's candidature was found ineligible, but his

candidature may get considered along with Group-3 applicants as per the Guidelines.

It is stated that the petitioner got selected out of six candidates through draw of lots, under Category-2, and in view of moving his candidature from Group-2 to Group-3, his chance of getting the dealership is very remote. Group-3 deals with those applicants without any land/no land. The petitioner obtained willingness from the owner of the land situated in Yanam, Puducherry, whereunder the land owner expressed willingness to lease to lease the land either to the petitioner or to the IOC, for 20 years. Though all the documents given by the petitioner are in order, he was moved from Group-2 to Group-3. He already incurred huge expenses on site advance, payment of rentals to the land owners from October, 2023 and initial security deposit, etc. Petitioner is unemployed youth, belonging to Scheduled Caste (physically handicapped) category. The action of IOC in rejecting his application for allotment of retail outlet and making him ineligible in Group-2 level is illegal and arbitrary. Hence, the Writ Petition.

3. Respondent No.3 filed counter affidavit denying the material averments in the affidavit filed in support of the Writ Petition and contending *inter alia* that there is no violation of any Fundamental Right conferred on the petitioner under the Constitution of India, and the writ affidavit is *bereft* of any such particulars mandated under Rule 5 (b) of the Writ Proceedings Rules, 1977, and the Writ Petition is liable to be dismissed on that ground alone.

It is further stated in the counter affidavit that pursuant to the application of the petitioner for allotment of the subject outlet, provisional selection of the petitioner was informed through communication dated 26.6.2025 to his registered e-mail address [vamsikrishna.kkd@gmail.com](mailto:vamsikrishna.kkd@gmail.com), requesting him to personally appear with a valid photo identity card on 7.7.2025; that on 10.7.2025, another communication was issued by 3<sup>rd</sup> respondent to the same e-mail id confirming the petitioner's provisional selection and asking him to remit Rs.30,000/- as Initial Security Deposit and to upload self-attested copies of the documents mentioned therein, and it is clearly mentioned in the said

communication that all self-attested copies would be verified with the originals during Field Verification of Credentials.

The petitioner was informed through an intimation dated 13.08.2025 sent to his aforesaid registered email id, to rectify certain deficiencies noticed in the documents submitted by him, as per the Retail Outlet Dealership Selection Guidelines viz.to submit disability certificate in correct format; furnish a fresh Appendix-III affidavit executed on stamp paper in the name of the land owner K.Lakshmana Murthy (as the firm offer affidavit earlier filed was executed on petitioner's own name), etc., providing 21 days' time therefor as stipulated in the Guidelines, but he failed to submit the aforesaid documents; that the petitioner admitted through representations dated 13.9.2025 and 19.9.2025, that he missed the last date as he could not check his mail; that as per Clause 23 of the Retail Outlet Dealership Selection Guidelines, failure to furnish rectified documents within the stipulated time automatically entails rejection or movement of the

application to Group-3. As per Clause 14 read with Clause 23 of the Brochure, failure to submit rectified documents within the prescribed time automatically results in rejection or movement to Group-3, and no discretion is vested with 2<sup>nd</sup> respondent to relax or extend the period. Accordingly, the petitioner was declared ineligible and he was informed that his candidature would be considered along with Group-3 applicants, and the said action of respondents is in accordance with the Guidelines.

The counter affidavit also pointed out various deficiencies which are not rectified by the petitioner.

It is further stated that this Court, vide Order dated 18.09.2025 in the present Writ Petition, permitted the petitioner to resubmit the documents, and thereupon directed the respondents to verify the same and obtain necessary instructions; that accordingly, 2<sup>nd</sup> respondent examined all relevant records and representations submitted by the petitioner, and after due scrutiny, passed a reasoned order dated 13.10.2025, disposing of his representations, stating that petitioner's candidature under

Group-2 was unsustainable on account of the unrectified deficiencies and accordingly the candidature was moved to Group-3 and the same is in conformity with the uniform selection guidelines. Hence, it is prayed to dismiss the Writ Petition.

4. Learned counsel for the petitioner contended that the petitioner belongs to Scheduled Caste –Physically handicapped category and he got provisionally selected for award of the subject retail outlet under Group-2 category, and accordingly, he uploaded the requisite documents and paid initial security deposit on 28.7.2025. He submits that due to his ill-health from 2<sup>nd</sup> week to 4<sup>th</sup> week of August, 2025, the petitioner could not notice the intimation dated 13.8.2025 sent to his mail by the respondents, asking him to rectify certain deficiencies noticed in the documents submitted by him, and that on 8.9.2025, he sent a message through whatsapp requesting to send status of his application for allotment of the subject retail outlet, and on that he received the letter on 11.9.2025 stating that in view of his failure in submitting the documents mentioned in

rectifiable deficiencies within the stipulated time, his candidature was found ineligible and his candidature would be considered along with Group-3 applicants. He submits that non-submission of documents mentioned in rectifiable deficiencies within time is neither intentional nor wanton, but due to his ill-health.

The learned counsel further submits that he submitted all requisite documents and there is no deficiency, and that if candidature is moved from Group-2 to Group-3, his chance of getting the dealership is remote, and as he incurred huge expenses on site advance, etc., he prays to allow the Writ Petition

5. Learned counsel for the respondents, while reiterating the averments in the counter affidavit, contended that all the communications in respect of his application for allotment of the subject outlet, including his provisional selection, to remit Rs.30,000/- as Initial Security Deposit, to upload self-attested copies of the documents mentioned therein, etc., were sent to the petitioner to his registered e-mail id viz.

[vamsikrishna.kkd@gmail.com](mailto:vamsikrishna.kkd@gmail.com), for which he responded; that the intimation dated 13.08.2025 asking him to rectify certain deficiencies was also sent to the said registered e-mail id, providing 21 days' time therefor, and the petitioner failed to submit the rectifiable deficiencies within the time stipulated therein; that as per Clause 23 of the Retail Outlet Dealership Selection Guidelines, failure to furnish rectified documents within the stipulated time automatically entails rejection or movement of the application to Group-3, and no discretion is vested with 2<sup>nd</sup> respondent to relax or extend the time, and accordingly, the petitioner was declared ineligible and informed that his candidature would be considered along with Group-3 applicants; that the said action of respondents is strictly in accordance with the Guidelines.

He further submits that pursuant to the Order passed by this Court dated 18.09.2025 in the present Writ Petition, the petitioner resubmitted the documents, and the respondents examined all relevant records and representations submitted by the petitioner, and passed a

reasoned order dated 13.10.2025, stating that petitioner's candidature under Group-2 was unsustainable on account of the unrectified deficiencies and accordingly the candidature was moved to Group-3; that the action of the respondents is in conformity with the uniform selection guidelines.

He submits that the action of the respondents is strictly in accordance with the Guidelines; that there is no violation of any statutory right of the petitioner, and therefore, it is prayed to dismiss the Writ Petition.

6. Now, the point that arises for consideration in this Writ Petition is whether the action of respondents in rejecting the application submitted by the petitioner for award of the subject retail outlet and moving it from Group-2 to Group-3 level, is sustainable and whether there is infringement of any legal or statutory right of the petitioner calling for interference of this Court in exercise of its jurisdiction under Article 226 of the Constitution of India ?

7. The factual matrix is not in dispute. The petitioner, who belongs to Scheduled Caste-Physically

challenged category, pursuant to an Advertisement dated 28.06.2023 given by the respondent-corporation, submitted an online application on 10.07.2023 for the purpose of allotment of a Retail Outlet Dealership at the location 'From NH 216 Junction to New Bus Stand, Yanam, on Draksharam Road within Yanam Municipal Limits' in Yanam District, Union Territory of Puducherry'. The said allotment process is governed by 'Guidelines on Selection of Dealers for Regular and Rural Retail Outlets through Draw of Lots/Bidding Process' (hereinafter referred to, as 'the Guidelines'). The petitioner was provisionally selected in the draw of lots conducted. It is also evident from the record that the petitioner was informed about the selection in draw of lots, by way of communication dated 26.06.2025 to his registered e-mail id [yamsikrishna.kkd@gmail.com](mailto:yamsikrishna.kkd@gmail.com), and he was asked to appear in person with a photo identity card on 07.07.2025. It is also evident from the record that by way of another communication dated 10.07.2025 to the said registered e-mail id, the petitioner was informed about confirmation of his provisional selection and

directing to remit a sum of Rs.30,000/- towards initial security deposit through online mode by 20.07.2025 and to upload self-attested copies of the documents mentioned therein i.e. notarized affidavit; proof of age and educational qualifications; details regarding land ownership proof, lease, sketch of the land; PAN and Aadhar cards and specific documents prescribed for SC-PH category applicants. According to the petitioner, he furnished the initial security deposit and also self-attested copies of the aforesaid documents.

8. As there are certain rectifiable deficiencies, the respondent corporation, vide communication dated 13.08.2025 sent to the aforesaid registered e-mail id of the petitioner, informed the petitioner to rectify the same. A perusal of the material on record reveals that these rectifiable deficiencies include- submission of disability certificate in correct format i.e. in Appendix-IXA, instead of Appendix-IXC; furnishing a fresh Appendix-III affidavit, which is executed on stamp paper in the name of the land owner, as the firm offer affidavit filed earlier was executed

in petitioner's own name; filing a complete Appendix-XA affidavit duly filled with unapplicable clauses struck off and to clarify mismatch between survey number mentioned in the application and the survey details reflected in the uploaded land documents. The petitioner was given 21 days' time, as prescribed under Guideline No.14 of the Guidelines, to rectify the aforesaid rectifiable deficiencies and to furnish the rectified copies of the aforesaid documents.

9. According to the petitioner, due to ill-health and as he was suffering from Bacterial Meningitis from 2<sup>nd</sup> week to 4<sup>th</sup> week of August, 2025, he could not check or verify his e-mail inbox. It is the case of the petitioner that he was suffering from locomotor/orthopaedic disability with 90% disability and he was totally bedridden due to Bacterial Meningitis and did not have access to any computer during 2<sup>nd</sup> week to 4<sup>th</sup> week of August, 2025, and on 08.09.2025, with the help of his friend, he forwarded message through Whatsapp to IOC, Visakhapatnam requesting to send status of his application, for which he

received a letter on 11.09.2025 stating that in view of non-submission of the documents mentioned in rectifiable deficiencies, the petitioner's candidature was found ineligible, but his candidatures may get considered along with Group-3 applicants as per the guidelines.

10. Admittedly, even according to the petitioner, he could not correct the rectifiable deficiencies pointed out by the respondent-Corporation and communicated to him through his registered e-mail id, on 13.8.2025, within the prescribed time of 21 days. After lapse of the prescribed 21 days' time, he made representations dated 13.9.2025 and 19.9.2025 whereunder he admitted that he missed the last date and could not check the communication dated 13.08.2025 sent to his registered e-mail id. Now, it has to be seen what is its effect ?

11. There cannot be any dispute that Guidelines on Selection of Dealers for Regular and Rural Retail Outlets through Draw of Lots/Bidding Process would govern the selection of dealers and the same are binding on all Oil Marketing Companies, including the respondent-

corporation. The said Guidelines are not under challenge. Guideline No.14 thereof deals with Selection Procedure. Guideline No.14.E.ix. stipulates that scrutiny of the documents would be carried out, only after receipt of 10% of the Security Deposit (Initial Security Deposit) and documents through the portal. Guideline No.14.E.x. stipulates that in case of rectifiable deficiency in the documents submitted, intimation to the provisionally selected candidate will be sent to submit the required corrected documents within 21 days. The effect of non-submission of the rectified documents within the time stipulated, is also prescribed in the said Guidelines. Guideline No.14.E.xi. stipulates that in case the rectified documents are not submitted within stipulated time or the submitted rectified documents are not as per the requirement, intimation regarding rejection of his/her candidature will be sent to the provisionally selected candidate. The said Guideline also stipulates that for locations advertised under SC/ST category, if rectified documents related to offered land are not submitted, the

applicant will be given intimation regarding consideration of his/her candidature along with Group-3 applicants, provided all other deficiencies are rectified and the candidature of the applicant was originally not in Group-3 or was not moved to Group-3 earlier.

12. Further, Guideline No.23 of the Guidelines deals with 'List of non-rectifiable deficiencies in applications', which stipulates the deficiencies in the application form for Retail Outlet Dealer Selection, which are non-rectifiable, and states that such applications will not be considered for further selection process. Guideline No.23 (k) stipulates that rectifiable deficiency not corrected within the specified time (21 days) is a deficiency which is not rectifiable and therefore such application will not be considered for further selection process.

13. In the case on hand, even according to the petitioner, he could not correct the rectifiable deficiencies pointed out in the communication dated 13.8.2025 sent to his e-mail id, within the stipulated time of 21 days. Therefore, as per Guideline No.23 of the Guidelines, since

the rectifiable deficiencies are not corrected within 21 days, the application of the petitioner will not be considered for further selection process. In view of the same, as stipulated under Guideline No.14 of the Guidelines, the respondent-Corporation sent an intimation to the petitioner informing about rejection of his candidature, and because the petitioner belongs to SC category, he was informed that his candidature may get considered along with Group-3 applicants as per the guidelines. Admittedly, the Guidelines are binding on all Oil Marketing Companies, including the respondent-Corporation and there is no discretion vested in the respondent-Corporation. The said Guidelines are not under challenge. Therefore, the course of action adopted by the respondent-Corporation is strictly as per the Guidelines and there is no infirmity.

14. All the earlier communications were sent to the registered e-mail id of the petitioner and the same were noticed by the petitioner and he acted upon the queries/clarifications raised therein. Admittedly, the petitioner responded to the communications sent to him to the said

registered e-mail id, in the months of June, 2025 and July, 2025, and complied with the queries raised therein. Therefore, the course of action adopted by the respondent-Corporation in sending the communication dated 13.8.2025 to the registered e-mail id of the petitioner, pointing out rectifiable deficiencies and prescribing time to rectify the same, cannot be found fault with. The reason assigned by the petitioner for not correcting the rectifiable deficiencies within the time stipulated, is due to ill-health and as he was suffering from Bacterial Meningitis from 2<sup>nd</sup> week to 4<sup>th</sup> week of August, 2025, he could not check or verify his e-mail inbox. It is his case that he was totally bedridden due to Bacterial Meningitis and did not have access to any computer during 2<sup>nd</sup> week to 4<sup>th</sup> week of August, 2025. There is no satisfactory medical record filed by the petitioner to substantiate the said version that he had no access to either his computer or smart phone during the relevant period from 13.8.2025.

15. Apart from the same, it is the specific case of the petitioner that he had already submitted all the requisite

documents and all the documents given by the petitioner are in order, and hence rejection of his candidature and moving the same from Group-2 to Group-3 is not justified. This Court, vide its Order dated 18.09.2025, directed the petitioner to submit the required documents as per the letter dated 13.08.2025, along with other relevant documents to the respondents, and the respondents were directed to verify the documents and get necessary instructions for further adjudication of the case. Pursuant to the same, the respondent-Corporation passed Order Ref. No.IOC/VDO/PY /51, dated 13.10.2025, a copy of which was filed along with counter affidavit of 3<sup>rd</sup> respondent, disposing of the representations dated 13.09.2025 and 19.09.2025 holding that candidature of petitioner under Group-2 is not sustainable and that placement of his candidature in Group-3 is in conformity of the Guidelines.

16. A perusal of the Order dated 13.10.2025 passed by 3<sup>rd</sup> respondent makes it clear that as per Guideline No.4 (VII) (e) of the Guidelines, the petitioner, who claims to be under Locomotor/Orthopaedic disability, is required to

submit Certificate in Appendix IXA, which he failed to do so. Another rectifiable deficiency, which the petitioner could not correct, is as per the Guidelines, the affidavit has to be executed on a stamp paper purchased in the name of the land owner, but in the case on hand, the affidavit is in the name of the petitioner. The petitioner failed to furnish a fresh Appendix-III affidavit executed on stamp paper in the name of the land owner K.Lakshmana Murthy, as the firm offer affidavit earlier filed was executed on petitioner's own name. Further, there is also a mismatch with regard to details of survey number or khasra number. In view of these defects, 3<sup>rd</sup> respondent disposed of the representations made by the petitioner dated 13.09.2025 and 19.09.2025, holding that candidature of the petitioner under Group-2 is not sustainable and his placement in Group-3 is valid and the same is according to the Guidelines.

17. In view of the aforesaid discussion, this Court has no hesitation to hold that the impugned action of the respondent-authorities is strictly in accordance

with the Guidelines governing the field, and there is no infirmity. In the absence of infringement of any legal, statutory or constitutional right of the petitioner, the Writ Petition is not maintainable.

18. Accordingly, the Writ Petition is dismissed. No costs. Miscellaneous petitions pending, if any, in the Writ Petition shall stand closed.

(JUSTICE K.SREENIVASA REDDY)

DRK  
12.3.2026

THE HON'BLE SRI JUSTICE K.SREENIVASA REDDY

WRIT PETITION No.25423 of 2025

12.3.2026

DRK