

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

WP(C).No. 11638 of 2015 (D)

PETITIONER(S):

**ASHA THOMAS, KURISUMOOTIL HOUSE,
KAMAANA P.O., EDAVAKA, MANANTHAVADI,
WAYANAD DISTRICT.**

BY ADV. SRI.P.NARAYANAN.

RESPONDENT(S):

- 1. THE SENIOR REGIONAL MANAGER,
HINDUSTAN PETROLEUM CORPORATION LTD.,
KOZHIKODE RETAIL REGION,
ELATHOOR, KOZHIKODE-673 303.**
- 2. HINDUSTAN PETROLEUM CORPORATION LTD.,
REP. BY ITS MANAGING DIRECTOR,
REGIONAL OFFICE, ERNAKULAM-682 011.**

BY ADV. SRI.M.GOPIKRISHNAN NAMBIAR, SC.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE NEWSPAPER ADVERTISEMENT PUBLISHED IN
MALAYALA MANORAMA DAILY DATED 17/10/2014.
- EXT.P2 COPY OF THE POSSESSION CERTIFICATE IN RESPECT OF THE
LAND OFFERED FOR RETAIL OUTLET.
- EXT.P3 COPY OF THE COMMUNICATION DATED 12/02/2015 ISSUED BY
THE FIRST RESPONDENT.
- EXT.P4 COPY OF THE LIMITATION DATED 17/03/2015 ISSUED BY THE
FIRST RESPONDENT.
- EXT.P5 COPY OF THE REPRESENTATION DATED 01/04/2015 SUBMITTED BY
THE PETITIONER BEFORE THE FIRST RESPONDENT.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 11638 of 2015

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Dated, this the 8th day of April, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

- "(i) Issue a writ of certiorari or any other appropriate writ or quashing Ext. P3 and P4 communication issued by the 2nd respondent.
- (ii) Direct the respondents to sanction the retail outlet dealership to the petitioner accepting the land offered by the petitioner.
- (iii) Direct the 1st respondent to consider Ext. P5 representation and pass orders on it after hearing the petitioner.
- (iv) Issue such other appropriate writ, order or direction as is deemed just and necessary in the circumstances of the case"

2. Heard the learned counsel for the petitioner as well as the learned standing counsel appearing for the respondents.

3. It is brought to the notice of this Court that the petitioner has already projected the grievance by way of Ext. P5, which is

pending consideration before the first respondent, though the same is addressed in the personal capacity to the concerned officer who is holding the office of the first respondent.

4. In the said circumstances, the writ petition is disposed of, directing the first respondent to consider and pass appropriate orders on Ext. P5 in accordance with law, at the earliest, at any rate, within one month from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment along with copy of this writ petition before the first respondent for further steps.

Sd/-

**P. R. RAMACHANDRA MENON,
(JUDGE)**

kmd