

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.32948 of 2010

ORDER:

The writ petition is filed seeking a writ of mandamus declaring the selection of the fourth respondent as a dealer of LPG Gas at Malkipuram Village and Mandal, East Godavari District, being illegal and arbitrary, and consequently set aside the same.

The main grievance of the petitioner is that though he has secured more marks than the fourth respondent, his case was rejected and fourth respondent was appointed as dealer of LPG at Malkipuram Village and Mandal. The learned counsel for the petitioner alleges that the respondents have not followed due process of law and there is no transparency in selection process.

After number of hearings, this Court directed the first respondent herein to produce the file pertaining to the selection of the LPG Gas dealers before this Court and also directed to produce photocopy of the file to the learned counsel for the petitioner.

After perusal of the entire record, this Court is of the view that the respondents have followed the Circulars and Rules framed for appointment of LPG dealers and the entire selection process is in accordance with law. The respondents cannot be found fault with the selection of the fourth respondent as LPG dealer and as such, the selection of the fourth respondent as a dealer of LPG at Malkipuram Village and Mandal, East Godavari District is confirmed. Hence, the grievance of the petitioner that there is no transparency in the selection process, which deprived him to get appointment as a dealer of LPG, cannot be accepted, and as such, the writ petition is liable to be dismissed.

Learned counsel for the petitioner, after arguing at length, submits that the Circulars and the Rules framed by the respondents herein, which necessitated the selection of the fourth respondent, though the first respondent is eligible, are illegal and arbitrary, and as such, he intends to challenge the Circulars and the Rules framed for appointment of LPG dealers. If the petitioner really aggrieved by the Circulars and Rules framed by the first respondent for selection process of LPG dealers, he is at liberty to challenge the same by filing a fresh writ petition.

With the above observations, the writ petition is disposed of.

Consequently, the miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

08.04.2015

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