

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 4803 of 2015

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for the respondents.

2. The petitioner is running a petroleum retail outlet established by the Indian Oil Corporation in Kodali Village, Ghantasala Mandal, Krishna District. While so, the 3rd respondent visited the retail outlet and seized the bunk on the ground that there is disparity in stock and water layer is found on the upper compartment of the diesel tank. It is stated in the affidavit that the Joint Collector is the controlling statutory authority for inspection of petrol bunks. Since the retail outlet is run by the Indian Oil Corporation, it formulated certain guidelines indicating the procedure for sample collection and testing. Challenging the jurisdiction of the 3rd respondent in seizing the retail outlet, the petitioner filed W.P.No.141 of 2015 and the same is pending. In the meanwhile, the Chief Divisional Retail Sales Manager of Indian Oil Corporation made a representation to the Joint Collector on 19.01.2015 seeking permission for commencement of the sales after removal of the water and when the said representation was not considered and disposed of, the present writ petition is filed.

3. The learned counsel for the petitioner submits that since the retail outlet is run by the Indian Oil Corporation itself and it has got technical competence for removal of the water, the petition was filed pending proceedings before the Joint Collector. Since the writ petition relates to disposal of the representation dated 19.01.2015, this Court is not inclined to adjudicate the matter but directs the 2nd respondent to consider the representation dated 19.01.2015 filed by the Chief Divisional Retail Sales Manager of Indian Oil Corporation for commencement of the sales of the retail outlet run by the petitioner in accordance with law and dispose of the same within 30 days after hearing the petitioner, if necessary.

4. The Writ Petition is accordingly disposed of. Miscellaneous petitions, if any, pending in the writ petition shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

9th June, 2015

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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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