

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.28837 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the inaction of the third respondent in disposing of the representations of the petitioner dated 25.06.2016, 08.07.2016 and 15.07.2016 as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and Sri N.Praveen, learned counsel representing Sri N.Vasudeva Reddy, learned standing counsel for T.S.R.T.C.

3. It is not in dispute that the respondents have allotted stall No.99, for a period of five years, in favour of the petitioner in the year 2014. Now, the respondents are intending to remove stall No.99 for the convenience of the public at large. The respondents are willing to allot stall Nos.7 or 8 to the petitioner. The only grievance of the petitioner is that the licence fee fixed by the third respondent in respect of stall Nos.7 and 8 is on high side. The petitioner herein submitted representations to the third respondent to consider his case on humanitarian grounds and fix a reasonable licence fee in respect of stall Nos.7 or 8.

4. At the time of arguments, the only relief sought by the learned counsel for the petitioner is to direct the third respondent to dispose of the representations of the petitioner dated 25.06.2016, 08.07.2016 and 15.07.2016 as expeditiously as possible. The learned Standing counsel also consented for the same. In view of the submissions made by both the counsel, this Court is not inclined to go into the merits of the main case.

5. Having regard to the facts and circumstances of the case and also the submissions made by both the counsel, the third respondent is hereby directed to consider the representations of the petitioner dated 25.06.2016, 08.07.2016 and 15.07.2016 and pass appropriate orders, in accordance with law, after affording a reasonable opportunity to the petitioner to negotiate with the respondent officials. This exercise shall be completed within a period of four weeks from the date of receipt of copy of this order.

6. With the above direction, this writ petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T.SUNIL CHOWDARY, J

August 27, 2016.

Note:

Issue C.C. within one week.

B/o. Rns.