

THE HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.25612 of 2012

ORDER:

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The petitioner prays for the following relief :-

“.... to issue a writ order direction one in the nature of Mandamus declaring the action of the respondents in disqualified the petitioner in participating interview for KSK (outlet) dealership at Botalguduru Village, Pamuru Mandal, Prakasham District, on the ground that non production of original land documents, and set aside the proceedings dt.24-07-2012 in appointing the 5th respondent as retail outlet dealer to the above location and further direct the respondents to conduct fresh interviews for KSK retail outlet dealership at Botalguduru Village, Pamuru Mandal, Prakasham District....”

Briefly stated the case of petitioner is that on 24-07-2012 he produced the original Willing Lease Agreement and the same conforms to the conditions stipulated in the instant advertisement, further complains that the financial ability of 5th respondent is not properly appreciated and 5th respondent ought not to have been short listed by the Corporation.

Mr.P.Prabhakar appearing for Corporation submits that the petitioner has not produced the original document of proposed site either in the form of lease deed or assigned ownership of the proposed area. The petitioner has merely produced Willing Lease Agreement and it does not satisfy the requirements of advertisement and the Corporation is right in refusing to short list the petitioner.

I have perused the advertisement conditions and the Willing Lease Agreement annexed as Ex.P-3.

Prima facie, I am of the view that Ex.P-3 cannot and could

not be treated as conforming to the conditions of advertisement and the rejection of petitioner's claim on this ground is tenable.

Adverting to the complaint against 5th respondent, this court is of the view that the allegations against 5th respondent are very general and hardly any material is enclosed to direct the Corporation to consider the objection against 5th respondent. The Corporation is examining the allotment of KSK outlet dealership at Botlaguduru Village and this Court has no reason to infer that the Corporation will take irrelevant matters or ignore facts which have bearing on the decision in this behalf.

This court is of the view that respondents 1 to 4 will consider the short listed candidates strictly in accordance with the instant advertisement and take a decision objectively.

The writ petition fails and is accordingly dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

S. V. BHATT, J

Dt: 16-08-2016
Prv

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WRIT PETITION No.25612 of 2012

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