

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.32665 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the action of the second respondent in granting business licence in favour of the fourth respondent, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Civil Supplies (Andhra Pradesh) representing respondent Nos.1 to 3.

3. It is the case of the petitioner that he purchased an extent of Ac.0.16 ½ cents in Voppangi Village, Srikakulam Mandal and District under a registered sale deed No.97/1992 dated 29.01.1992 from Challa Kamayya and ever since he has been in possession and enjoyment of the same. The further case of the petitioner is that the fourth respondent encroached an extent of Ac.0.10 cents of land belongs to the petitioner for the purpose of establishment of retail petrol outlet as he was appointed as a franchisee for the Retail Outlet (RO) of Essar Oil Limited. A perusal of the record reveals that the petitioner filed O.S.No.154 of 2016 on the file of the Principal Senior Civil Judge, Srikakulam against the fourth respondent. A perusal of the record further reveals that the petitioner submitted a representation to the second respondent on 23.08.2016 to take appropriate action against the fourth respondent. For one reason or other, the second respondent has not disposed of the said representation of the petitioner.

4. At the time of arguments, the only relief sought for by the learned counsel for the petitioner is to direct the second respondent to dispose of the representation of the petitioner dated 23.08.2016 as expeditiously as possible. The learned Assistant Government Pleader also consented for the same.

5. In view of the submissions made by the learned counsel for both parties, this Court is not inclined to express any opinion touching the merits of the main case.

6. Having regard to the facts and circumstances of the case and also the submissions made by learned counsel for both parties, the second respondent is hereby directed to dispose of the representation of the petitioner dated 23.08.2016 in accordance with law, as expeditiously as possible, preferably within a period of two (2) months from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

8. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 26.09.2016

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