

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No.28225 OF 2017**

**ORDER:**

The writ petition is filed seeking a writ of *Mandamus* to declare the action of the respondent in preventing the 1<sup>st</sup> petitioner from doing business from 7 Nozzles in which there is no allegation as illegal and arbitrary.

It is the case of the petitioners that the 2<sup>nd</sup> petitioner herein was selected as a retail outlet dealer in the year 2013 by the respondent Corporation and a Dispensing Pump & Selling License-B agreement was entered by the 2<sup>nd</sup> petitioner with the respondent Corporation on 29.8.2013 and since then the 2<sup>nd</sup> petitioner has been doing the business without any allegations. While things stood thus, a routine check/inspection was carried out at the Retail outlet on 6.5.2017 and a retail outlet inspection report was prepared on 6.5.2017 stating that the density is within the permissible limits. It was also observed that the weights and measures seals and the totalizer seals are intact. It is further stated that once the density is within the permissible limits and the seals are intact, no action can be taken against the Retail Outlet dealer.

A perusal of the material available on record discloses that the license granted in favour of the petitioners is not cancelled. Petitioners had also submitted their explanation to the show cause notice dated 15.6.2017 denying each and every allegation made in the show cause notice and requested the respondent Corporation to drop the further action, but no action was taken so far.

In those circumstances, as long as the license granted in favour of the petitioners is neither suspended nor terminated, the petitioners shall be allowed to continue to run the Retail Outlet business.

With the above observations, the writ petition is disposed of.  
No order as to costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

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**CHALLA KODANDA RAM, J**

06<sup>th</sup> September, 2017

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**Date:06.09.2017**

**Gk**

