

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.9373 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

‘...to issue a writ, order or direction one in the nature of Mandamus declaring the action of the respondents 2 to 5 in not relocating/allotting open space to the petitioner in the Central Bus Station/Pandit Nehru Bus Station at Vijawayada to run Fast Food Center in lieu of the demolition of the Sai Teja Fast Food Center in stall C-9 at Pandit Nehru Bus Station, Vijayawada is illegal, arbitrary and violative of Art 14 and 21 of Constitution of India and against the principles of natural justice and consequently direct the respondents 2 to 5 to allot 900 sft or more open space to the petitioner in the Central Bus Station/Pandit Nehru Bus Station at Vijayawada to run Fast Food Center and be pleased to pass such other order or orders...’

I have heard the submissions of Ms. T.V. Sridevi, learned counsel appearing for the petitioner, and of the learned Government Pleader for Transport (AP) appearing for the respondents. I have perused the material record.

Learned counsel for the petitioner, while bringing to the notice of the Court the contents of the writ petition, would submit that earlier licence agreement for running Fast Food Center was terminated as the space was required by the respondents and that thereafter the petitioner made representations, dated 20.01.2017, 06.03.2017 and 20.01.2017 for providing 900 Square Feet of site for re-establishment of Fast Food Center by the petitioner as the petitioner suffered huge loss on account of untimely termination of the licence of the earlier Fast Food Center and that there is a possibility for allotting 900 Square Feet of site or more site and that the petitioner is prepared

to abide by any reasonable conditions that may be imposed by the respondents while allotting the said extent of site and that for non consideration of the representations of the petitioner, the petitioner is constrained to file the writ petition.

Learned Government Pleader would submit that for valid reasons and as per the terms of agreement, the earlier licence for running Fast Food Center was terminated and that the petitioner's representations would be considered by the authority concerned and an appropriate decision would be taken.

Having regard to the afore-stated submissions, the Writ Petition is disposed of directing the 3rd respondent to consider and dispose of the afore-stated three representations of the petitioner in strict accordance with the procedure established by law within six (06) weeks from the date of receipt of a copy of this order and communicate the decision taken thereon to the petitioner within a week thereafter.

There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

M. SEETHARAMA MURTI, J

23.03.2018
Vjl