

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 18324 OF 2018

ORDER:

This Writ Petition is filed seeking Writ of Mandamus declaring the action of the 2nd respondent in rejecting the petitioner's candidature as LPG Distributorship for the location of Laveru Vilage, Srikakulam District vide its letter No.VGA.LPG.LAVERU, dated 09.05.2018 and consequential notification dated 02.06.2018 for conducting re-draw in relation to the location of Laveru at Sl.No.3 as illegal and arbitrary.

Heard learned counsel for the petitioner and Sri B.Mayur Reddy, learned Standing Counsel for the respondents 1 and 2.

Learned counsel for the petitioner submits that petitioner has mentioned the name of the village as Keshavarayunipalem, Laveru Mandal, as such, there is no suppression of the fact and that after selecting the petitioner as successful candidate, the impugned order has been issued stating that petitioner's candidature for selection as LPG dealer is rejected.

On the other hand, Sri B.Mayur Reddy, learned Standing Counsel for the respondents submits that the petitioner has furnished wrong information with regard to her personal particulars and she has mentioned that she belongs to Laveru Gram Panchayat, whereas she belongs to Keshavarayuni palem village. He submits that filling up of application form is through online, as proceedings of application is through computers, petitioner got selected for the subject area, as there is no other

person belonging to Laveru Gram Panchayat. He submits that on field verification, it is found that she belongs to Keshavarayunipalem village, which is not the place of advertised location for the subject LPG dealership. He submits that since there is no other candidate belongs to Laveru Gram Panchayat and as the petitioner has wrongly mentioned in the application form that she belongs to Laveru Gram Panchayat, she got selected for the same. He submits that since she has furnished wrong particulars in his application form, his candidature was rejected.

In this case, it is to be seen at page No.21 of the material papers filed by the petitioner, which is application for appointment of LPG Distributor, at column No.3, while furnishing the personal particulars, the petitioner has mentioned that she belongs to Keshavarayunipalem, Laveru Gram Panchayat, as residential address. The name of the location is already mentioned in column (d) wherein petitioner has mentioned as Laveru Gram Panchayat. Since the entire selection process is based on the application processed through computer as contended by the learned Standing Counsel, petitioner got selected treating that she belongs to Laveru Gram Panchayat, but the fact is otherwise and admittedly, petitioner does not belong to Laveru Gram Panchayat.

Learned counsel for the petitioner submits that the petitioner made a mistake due to inadvertence, as such, the petitioner will make a complaint as per clause 27 of the

guidelines regarding appointment of LPG dealership and same may be considered by the respondents as per guidelines.

Sri B.Mayur Reddy, learned Standing Counsel submits that if the complaint is filed by the petitioner, same will be entertained and processed as per guidelines.

In view of the same, this Writ Petition is disposed of granting liberty to the petitioner to make complaint within a period of one week from today and on such complaint, the competent authority is directed to dispose of the same in accordance with the guidelines, within a period of two weeks thereafter. Till disposal of such complaint, no Letter of Intent shall be issued in favour of third parties in respect of the subject LPG cylinder distributorship.

There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A.RAJASHEKER REDDY,J

20-06-2018
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