

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.21415 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking a Writ of Mandamus declaring the inaction of the second respondent in considering the petitioner's representation, dated 14.05.2018, for grant of approval to the changes to be brought about in the constitution of M/s.Kakatiya Service Station, Hanamkonda, Warangal District, and to officially incorporate the petitioner's name as partner along with one Sri Radam Krishna Murthy/third respondent herein in the official records, as illegal, mala fide, unconstitutional and irrational. A consequential direction to the second respondent to consider the petitioner's representation and to forthwith incorporate the petitioner's name officially as the partner along with the third respondent is also sought.

I have heard the submissions of the learned Counsel for the petitioner and of Sri Srikanth Kaveti, learned Standing Counsel for respondents 1 and 2.

As the request is only to consider and dispose of the representation of the petitioner by the second respondent, this Court is of the considered view that, no notice to the third respondent is necessary, and the Writ Petition can be disposed of with appropriate directions. However, learned Standing

Counsel for respondents 1 and 2 would submit that, as per the instructions received by him, the petitioner's representation, dated 14.05.2018, is not received in the office of the second respondent. He further stated that, he has no objection for disposal of the Writ Petition appropriately.

Having regard to the facts and submissions, the Writ Petition is disposed of with the following directions:

'The petitioner shall submit a copy of the representation, dated 14.05.2018, to the second respondent afresh, as expeditiously as possible. On the petitioner submitting a copy of the representation, as aforesaid, the second respondent shall consider and dispose of the same in strict accordance with the regulations and procedure established by law, within six weeks from the date of receipt of the copy of the representation from the petitioner, and shall communicate the decision taken thereon to the petitioner, within a week thereafter. The second respondent, while disposing of the representation of the petitioner, shall afford an opportunity of hearing to the petitioner as well as the third respondent.'

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

M.SEETHARAMA MURTI, J

26.06.2018
vs