

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.22692 OF 2018

ORDER:

The case of the petitioner is that he submitted an application to the 1st respondent for appointment as LPG distributor at Siddapur location, Nagarkurnool District, Telangana, on 04-10-2017, under ST category. The 1st respondent has taken draw of lots wherein the petitioner's application has come in the draw and accordingly the petitioner was informed through a letter dated 04-01-2018 by the 1st respondent to deposit an amount of Rs.20,000/- and also to submit list of documents specified in the said letter within seven working days. As per the said letter, petitioner submitted all the documents. The petitioner is stated to have submitted residence certificate with application no.RCO21803779769 issued by the 2nd respondent-Tahsildar which states that he belongs to Ainole village which was also confirmed by 2nd respondent as true in field verification got conducted by the 1st respondent. When the 1st respondent addressed a letter informing the petitioner that he is not the resident of Siddapur village and the distributorship advertised is for Siddapur

location, and not meeting the eligibility criteria, the petitioner submitted another residence certificate with Application no.RC021802564328 claiming to be the resident of Siddapur village for the last five years.

2. 1st respondent passed the impugned order dated 20-06-2018 after calling for a report of the 2nd respondent-Tahsildar who confirmed that the residence certificate with Application no.RC021802564328 submitted by the petitioner showing him to be a resident of Siddapur village for the last five years is fake and not genuine and earlier residence certificate with application no.RC021803779769 submitted by the petitioner showing him to be a resident of Ainole village for the last 14 years is genuine. But the petitioner disputes the same and contends that the residence certificate with Application no.RC021802564328 showing him to be a resident of Siddapur village for the last five years is obtained from *Meeseva* which is under the control of the Government and the question of submitting fake certificate does not arise. It is also stated that the Gram Panchayat Secretary of Siddapur village issued a certificate dated 30-03-2018 to the effect that the petitioner belongs to Siddapur village and even his

Aadhar card indicates him to be the resident of Siddapur village.

3. Heard the learned counsel for the petitioner, learned Standing Counsel for 1st respondent and learned Asst. Government Pleader for Revenue for 2nd respondent.

4. It is to be seen that 1st respondent based on the report of the 2nd respondent, which is to the effect that the petitioner does not belong to Siddapur village and the residence certificate produced by him is fake and not genuine, passed the impugned order as the advertised location is for Siddapur. Petitioner's case is otherwise. According to him he belongs to Siddapur village and in proof of the same filed certificate issued by the Gram Panchayat Secretary and also Aadhar card. This Court in exercise of its extra ordinary jurisdiction under Article 226 of the Constitution cannot go into minute details and conduct a roving enquiry into facts involving disputed questions.

5. Sri B. Mayur Reddy, learned Standing Counsel for the 1st respondent submits that the petitioner has an efficacious alternate remedy under Clause 27 of the Unified Guidelines for Selection of LPG Distributors to redress his grievance.

6. In the circumstances, without expressing any opinion on the merits of the matter, the writ petition is disposed of reserving liberty to the petitioner to approach the authority under Clause 27 of the Unified Guidelines for Selection of LPG Distributors and raise all his objections and put forth his case, within a period of one week from the date of receipt of a copy of the order. Till a decision is taken in the matter, there shall be stay of allotment of LPG distributorship in respect of Siddapur location. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Dated: 06-07-2018
NRG

A.RAJASHEKER REDDY, J



THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

1

WRIT PETITION No.22692 OF 2018



//WEB//

06-07-2018

NRG