

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.30589 OF 2018

ORDER :

This Writ Petition is filed challenging the action of the 2nd respondent in issuing the impugned proceedings VJA.LPG.JADDANGI, dated 30.06.2018 rejecting the petitioner's candidature for the LPG Dealership and forfeiture of deposit on the ground that the petitioner does not belong to Jaddangi Village, East Godavari District as illegal and arbitrary and consequently to set aside the same.

Heard Smt.B.Vasanth Lakshmi, learned counsel for the petitioner and Sri O.Manohar Reddy, learned Standing Counsel for the respondents.

Learned counsel for the petitioner submits that the petitioner has correctly stated in the application that she is the resident of Jaddangi Village and that there is no suppression of fact. She submits that at the time of filing documents, the residential certificate issued by Tahsildar, it is found that the petitioner is resident of Komarapuram village. She submits that the respondents at least could have considered the petitioner's case under clause 3 of the Guidelines for Selection of LPG Distributors, dated June, 2017 and that they could not have rejected the candidature of the petitioner. She also submits that the petitioner is the lessee and she had also filed a notarized affidavit stating that her lessor's name is entered in revenue records and made an application to enter her name in revenue

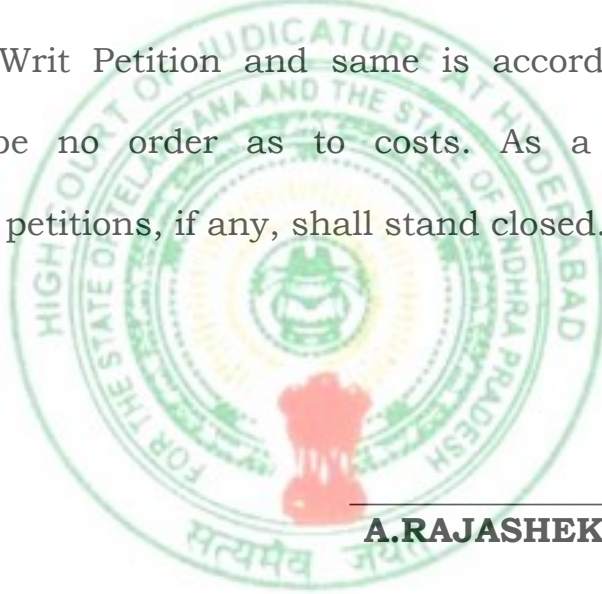
records, as such, rejection of the candidature of the petitioner on the ground that she is not registered lease holder of the property, is not tenable.

On the other hand, Sri O.Manohar Reddy, learned Standing Counsel for the respondents submits that at the time of filing application, the respondents corporation will not verify the contents of the same. He submits that basing on the averments in the application, draws will take place and that the truthfulness of the averments in the application will be known at the time of field verification. He submits that in the field verification, it is found that the petitioner is not resident of advertised location i.e, Jaddangi village and that she suppressed the said fact in the application. He further submits that the she even did not produce any registered lease deed with regard to lease of the subject land before the last date of application.

In this case, it is to be seen that initially petitioner's candidature for selection of was accepted and the petitioner was asked to produce residential certificate. At the time of field verification, it is found by the respondents Corporation that the petitioner does not belong to Jaddangi Village and she belongs to Komarapuram Village. Though learned counsel for the petitioner submits that the subject location is only 7 kms from the advertised location, but that cannot be taken into account. When the petitioner does not belong to advertised location, considering her case as per Clause 3 of the Unified Guidelines for Selection of LPG Distributors, dated June, 2017 does not arise. That apart, the petitioner's candidature was rejected on two grounds i.e., she

does not belongs to advertised location and that she has not produced registered lease deed with regard to ownership of the subject location. The Unified Guidelines for Selection of LPG Distributors are very clear that before the last date of application, petitioner has to produce registered lease deed. When notice was issued to the petitioner to produce the registered lease deed, she wrote a letter to the respondents Corporation stating that she do not possess any other alternate land registered before the last date of application i.e., 4th October, 2017.

In view of above facts and circumstances, I do not see any merit in the Writ Petition and same is accordingly dismissed. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, shall stand closed.



A.RAJASHEKER REDDY, J

27-08-2018.
kvs

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY



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