

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.32267 of 2018

ORDER:

This writ petition filed under Article 226 of the Constitution of India, with the following prayer:

“To issue a writ order or direction more particularly in the nature of writ of Mandamus declaring the letter dated 10.4.2017 with Ref MDK/MPLY/MDK 1 issued by Respondent No 3 in threatening to stop the supplies to the retail outlet of Petrol and Diesel station of the petitioner under the name and style of M/s Sri Sangameshwara Service Station situated at Shankarampet A village and Mandal of Medak District as illegal arbitrary unconstitutional contrary to law and contrary to the terms and conditions of the Agreement and consequently set aside the said Letter 10 042017 with Ref MDK/MPLY/MDK by directing the Respondents to continue the Supply of MS and HSD without interruption to the Petitioners outlet”.

2. It is submitted by the learned counsel for the petitioner that in response to the notice dated 10.4.2017, pointing out certain deficiencies, petitioner herein submitted explanation/representation on 20.4.2017 and since then the partnership firm has been operating the Petroleum outlet. It is further submitted that now at the instance of 4th respondent, 3rd respondent is threatening to stop the supply to the petitioner outlet.

3. On the other hand, it is submitted by Sri Yogesh Kumar Heroor, learned Standing Counsel for Respondent Corporation that there is no evidence to show that the petitioner is a partnership firm.

4. Along with the writ petition, partnership deed alleged to have entered into on 27.10.1999 is filed as material paper. During the course of arguments, it is submitted by the learned counsel for the petitioner that the petitioner will submit all the relevant documents before the Respondents and

the same may be directed to be considered, for which the learned Standing Counsel expressed no objection.

5. In view of the same, the writ petition is disposed of, directing the petitioner herein to resubmit the explanation/representation dated 20.4.2017, by enclosing all the relevant material documents for redressal of its grievance and on receiving the same, appropriate orders be passed, strictly in accordance with law. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

Date: 22.10.2018
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A.V.SESHA SAI, J





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22.10.2018

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