

HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.35288 OF 2016

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble court may be pleased to issue an order or direction or writ more particularly one in the nature of a Writ of Mandamus declare the action of the respondent in not issuing the Service Provider and Dealership to the me as assured vide letter dt. 04.01.2012 and in not considering my representations dt. 01.05.2015 and 27.01.2016 as illegal, void and arbitrary and direct the respondent to issue Service Provider and Dealership as assured vide letter dt. 04.01.2012, in the interest of justice, and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.”

2. Heard Sri Chetluru Sreenivas, learned counsel for the petitioner and Sri B.Mayur Reddy, learned Standing Counsel for the respondent.

3. The petitioner is the applicant before the Hindustan Petroleum Corporation Ltd., respondent herein, offering to be the Service Provider and Dealer and after hearing from the respondent, he had complied with the required formalities of making the requisite deposits and executing a Lease Deed in favour of the respondent on 09.12.2011 in respect of his land situated in Survey No.36 of Bheemgal Village and Mandal, Nizamabad District, for the purpose of setting up a retail outlet. The petitioner made representations, dated 01.05.2015 & 27.01.2016, requesting to issue service provider and dealership to him for the subject site.

Since the same were of no avail, the petitioner is compelled to file this writ petition.

4. Without going into the merits of the case, after hearing both sides, this Writ Petition is disposed of directing the respondent to consider the representations of the petitioner, dated 01.05.2015 & 27.01.2016, and pass appropriate orders within a period of four (04) weeks from the date of receipt of a copy of this order. Till then, no steps shall be taken regarding allotment of the dealership to any third parties. In the event of passing any adverse orders, the respondent shall hear the petitioner by offering an opportunity of hearing, if not already decided.

There shall be no order as to costs.

Miscellaneous Petitions, if any pending, shall stand closed.

T.AMARNATH GOUD, J

Date: 23rd April, 2019

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