



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI  
(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF MAY  
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN  
WRIT PETITION NO: 11743 OF 2024

Between:

Gandham Srinivasulu, S/o. Sanjeevaiah, Aged about 40 years, Occ-  
Business, Proprietor of M/s. Sri Venkateswara Filling Station, Survey  
No.242, Padmavathipuram Village, Tirupati Rural Mandal, Tirupati  
District

Petitioner

AND

1. The Union of India, Rep. by its Secretary Ministry of Petroleum and Natural Gas, Department
2. State of Andhra Pradesh, Rep.by its Principal Secretary Civil Supplies Department, Secretariat, Velagapudi, Guntur District.
3. The District Collector and Magistrate, Tirupati, Tirupati District.
4. The Controller of explosives., Ministry of commerce and industry. Petroleum and explosives safety organization (PESO) Room No.602, 6th floor, C.G.O Towers, Kavadiguda, Secunderabad-500080.
5. The Joint Chief controller of Explosives, Ministry of commerce and industry, Petroleum and explosives safety organization (PESO) Room No.602, 6th floor, C.G.O Towers, Kavadiguda, Secunderabad-500080.
6. The Deputy Chief controller of Explosives, Ministry of commerce and industry. Petroleum and explosives safety organization (PESO) Room No.602, 6th floor, C.G.O Towers, Kavadiguda, Secunderabad-500080.
7. The District Revenue Officer and Additional District, Magistrate, Tirupati, Chittoor District.
8. The District Supply Officer, Tirupati, Chittoor District.

9. The Joint Chief Controller of Explosives, Explosives Department, Circle No. 140, Shastri Bhavan, 26 Haddows Road, Nungampakam, Chennai.
10. The Hindustan Petroleum Corporation Limited, (A Government of India Enterprises) Having its Regional office at 16-15-986/2, Aarvy House, Near Krishna Mandjram, Childrens Park Main Road, Nellore, SPSR Nellore District. Rep. by its Regional Mahager.
11. Regional Manager, The Hindustan Petroleum Corporation Limited (A Government of India Enterprises) Having its Regional office at Vijayawada, Mangalagiri Road, Near Sai Baba Temple, Tadepalli, Guntur, Andhra Pradesh-522501.
12. Sales Officer, the Hindustan Petroleum Corporation Limited, (A Government of India Enterprises) tirupathi, Chittoor District.
13. Smt. MaddepatlaPadmavathamma, W/o. M. Reddappa Naidu, Aged about 58 years. Residing at D.No. 1/10 Srinivasapuram, Tiruchanur Road, Tirupati, Chittor District.
14. Maddepatia Reddappa Naidu, S/o. late Venkata Subbaiah, Aged about 68 years. Residing at D.No. 1/10, Srinivasapuram, Tiruchanur Road, Tirupati, Chittoor District

### Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue any writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings No. P/SC/AP/14/4980 (P188382), Dt.26.07.2023 and consequential proceedings No.P/SC/AP/14/4980 (P188382), Dt.24.04.2024 of the 5th respondent as illegal, arbitrary and violation of Article 21 of the Constitution of India and to consequently set aside the proceedings No.P/SC/AP/14/4980 (P188382), Dt.26.07.2023 and consequential proceedings No.P/SC/AP/14/4980 (P188382), Dt.24.04.2024 and direct the 5th respondent to continue the explosive license and further direct the corporation to supply the petroleum



products in view of letter of intent Dt.06.06.2011 thereby permitting the petitioner to run the retail outlet.

**IA NO: 1 OF 2024**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to permit the petitioner to run the retail outlet by suspending the proceedings No.P/SC/AP/14/4980 (P188382), Dt.26.07.2023 and further proceedings No.P/SC/AP/14/4980 (P188382), Dt.24.04.2024 of the 5<sup>th</sup> respondent, Pending disposal of WP 11743 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri KALAVA SURESH KUMAR REDDY, Advocate for the Petitioner and of STANDING COUNSEL for PESO for the Respondent Nos.1, 4, 5, 6 & 9, GP FOR CIVIL SUPPLIES for Respondent Nos.2, 3, 7 & 8, STANDING COUNSEL for HPCL for Respondent Nos.10 to 12 and the Court made the following

**ORDER:**

“Heard the learned counsel for the petitioner.

2. The learned Standing Counsel for PESO takes notice for the respondent Nos. 1, 4, 5, 6 & 9.

3. Print the name of the learned Standing Counsel for HPCL appearing for the respondent Nos. 10 to 12.

4. The learned counsel for the petitioner is permitted to take out personal notices on the respondent Nos. 13 and 14 and proof of service shall be filed within a period of three (03) weeks from today.

5. In the meanwhile, the impugned order of the 5th respondent passed against the respondent No.10 dated 26.07.2023 is stayed, pending further orders.

6. List after Summer Vacation-2024, along with W.P.No.14220 of 2023."

SD/- S.SRINIVASA PRASAD  
ASSISTANT REGISTRAR  
SECTION OFFICER

//TRUE COPY//

To,

1. The Secretary Ministry of Petroleum and Natural Gas, Union of India, Department (by RPAD)
2. The Principal Secretary Civil Supplies Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District. (by RPAD)
3. The District Collector and Magistrate, Tirupati, Tirupati District. (by RPAD)
4. The Controller of explosives., Ministry of commerce and industry. Petroleum and explosives safety organization (PESO) Room No.602, 6th floor, C.G.O Towers, Kavadiguda, Secunderabad-500080. (by RPAD)
5. The Joint Chief controller of Explosives, Ministry of commerce and industry, Petroleum and explosives safety organization (PESO) Room No.602, 6th floor, C.G.O Towers, Kavadiguda, Secunderabad-500080. (by RPAD)
6. The Deputy Chief controller of Explosives, Ministry of commerce and industry. Petroleum and explosives safety organization (PESO) Room No.602, 6th floor, C.G.O Towers, Kavadiguda, Secunderabad-500080. (by RPAD)

7. The District Revenue Officer and Additional District, Magistrate, Tirupati, Chittoor District. (by RPAD)
8. The District Supply Officer, Tirupati, Chittoor District. (by RPAD)
9. The Joint Chief Controller of Explosives, Explosives Department, Circle No. 140, Shastri Bhavan, 26 Haddows Road, Nungampakam, Chennai. (by RPAD)
10. The Hindustan Petroleum Corporation Limited, (A Government of India Enterprises) Having its Regional office at 16-15-986/2, Aarvy House, Near Krishna Mandjram, Childrens Park Main Road, Nellore, SPSR Nellore District. Rep. by its Regional Mahager. (by RPAD)
11. Regional Manager, The Hindustan Petroleum Corporation Limited (A Government of India Enterprises) Having its Regional office at Vijayawada, Mangalagiri Road, Near Sai Baba Temple, Tadepalli, Guntur, Andhra Pradesh-522501. (by RPAD)
12. Sales Officer, the Hindustan Petroleum Corporation Limited, (A Government of India Enterprises) tirupathi, Chittoor District. (by RPAD)
13. Smt. MaddepatlaPadmavathamma, W/o. M. Reddappa Naidu, Aged about 58 years. Residing at D.No. 1/10 Srinivasapuram, Tiruchanur Road, Tirupati, Chittoor District. (by RPAD)
14. Maddepatia Reddappa Naidu, S/o. late Venkata Subbaiah, Aged about 68 years. Residing at D.No. 1/10, Srinivasapuram, Tiruchanur Road, Tirupati, Chittoor District (by RPAD)
15. One CC to SRI. KALAVA SURESH KUMAR REDDY, Advocate [OPUC]
16. One CC to STANDING COUNSEL for HPCL, High Court of AP [OPUC]
17. One CC to STANDING COUNSEL for PESO, High Court of AP [OPUC]
18. Two CCs to GP FOR CIVIL SUPPLIES, High Court of AP [OUT]
19. One spare copy



**HIGH COURT**

**BKMJ**

**DATED:10/05/2024**

**List after Summer Vacation-2024, along with W.P.No.14220 of 2023.**

**ORDER**

**WP.No.11743 of 2024**

**STAY**

