

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

MONDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE



PRESENT
THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 6680 OF 2025

Between:

Vijaya Geetha Oil Company, Rep by its Proprietor Smt. T. Geetha W/o. Vijay Kumar Reddy, Aged about 67 years R/o. 11-138, Geetha Hospitals, Varla Street, Eluru Road, Gudivada, Krishna District - 521301.

...Petitioner

AND

1. The Union of India, Rep by its Secretary, Ministry of Petroleum and Natural Gases SastriBhavan, New Delhi.
2. Indian Oil Corporation Limited, Rep. by its Executive Director and the State Head Moosapet, Hyderabad, Telangana State (TS).
3. The Divisional Retail Head, Indian Oil Corporation Limited, Bharathi Nagar, Vijayawada.
4. The Assistant Controller Legal Metrology, Department of Legal Metrology, D. N0.23B-3-6, Kasturivari Street, R.R. Pet, Eluru, Eluru District.
5. The Managing Director, GilbargoVeeder Root India Pvt Ltd., Corporate Office, Art Guild House, B Wing, 1st Floor, Pheonix Market city, L.B.S Road, Kurla West, Mumbai - 400070.

...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 a writ, writ order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondent No.3 without revoking / reviewing the suspension of Dispensing Unit Serial

No.201501000129 i.e., 2 nozzles of HSD/ Xtragreen (inoperative) or replacing the existing dispensing unit with a new dispensing unit of petitioner retail outlet in-spite of the explanation/reply dated 29.12.2024/31.12.2024, the orders of the Honble High Court in W.P. No. 1756/2025 dated 3.2.2025 and issued impugned show cause notice for termination of A site retail outlet vide Ref VJA/MDGA/IJAVA GEETHA dated 16.12.2024 and 28.02.2025 without considering the petitioner explanation by treating as critical irregularity under clause No. 5.1.4 and 8.2 is illegal, arbitrary, discriminatory, non-application of mind and violation of Articles 14, 19, 21 and 311 of Constitution of India, hence same is liable to be set-aside and consequently direct the Respondent No. 2 and 3 to drop further action on the show cause notice for the termination of A site retail outlet M/s VijayaGeetha Oil Company by considering the explanation to the show cause notice submitted by the petitioner dated 29.12.2024/31.12.2024 and 07.03.2025 and reopening the suspension of Dispensing Unit Serial No.201501000129 i.e., 2 nozzles of HSD/ Xtragreen of petitioner retail outlet by replacing the dispensing unit as the respondent authorities are unable to rectify the defect even after repairing the dispensing unit for 16 times by the GVR (Manufacture) technical team in respect of internal mechanism of dispensing unit on the compliant given by the petitioner and all the parameters are intact even as per their technical team report and cannot be found fault of the petitioner, as the petitioner is no way concerned with the internal part of the dispensing unit.

IA NO: 1 OF 2025

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 direct the Respondent authorities to review the suspension of Dispensing Unit Serial No.201501000129 by replacing with a new dispensing unit in the existing Dispensing Unit in view of the detailed representation of the petitioner dated 29.12.2024/31.12.2024 and

07.03.2025 in view of the observation made by the inspection team (i.e., all the parameters are intact) by suspending the impugned show cause Notice vide Ref. VJA/MDGA/IJAYA GEETHA dated 28.02.2025 and pending disposal of the Writ Petition.

Counsel for the Petitioner: SRI K.SATYANARAYANA MURTHY

Counsel for the Respondent No.1: SMT M. UMADEVI

Counsel for the Respondents 2 to 4: SRI S.V.V.SIVA RAM

The Court made the following order:

APHC010130852025



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

[3331]

**MONDAY ,THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 6680/2025

Between:

Vijaya Geetha Oil Company

...PETITIONER

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.K SATYANARAYANA MURTHY

Counsel for the Respondent(S):

1.

The Court made the following:

::ORDER::

Heard Sri K. Satyanarayana Murthy, learned counsel for the petitioner;
Smt. M. Uma Devi, learned standing counsel for respondent No.1 and Sri
S.V.V.Siva Ram, learned counsel for respondents 2 to 4.

2. The above writ petition is filed seeking comprehensive relief.

3. The facts in brief, are that the petitioner, a retail outlet dealer, has been running the business for 24 years without any remark or malpractices on its part. While the matter stood thus, an inspection was conducted on 16.11.2023

and the inspection team observed certain irregularities in respect of one of the dispensing units out of three dispensing units, at the outlet. Even after one year, the subject dispensing unit was neither restored nor renewed. Therefore, the petitioner made representation requesting the authorities to conduct regular inspections and to review or restore said dispensing unit for regular operations. Since the representation did not evoke any response, the petitioner filed W.P.No.1756 of 2025 and the said writ petition was disposed of on 03.02.2025 directing respondents 2 and 3 therein to consider the petitioner's representation/explanation dated 29.12.2024 as per the guidelines and pass appropriate orders after providing opportunity of hearing to the petitioner, if required, within four weeks from the receipt of a copy of the said order. Thereafter a show cause notice, vide reference VJA/MDG/VIJAYA GEETHA dated 28.02.2025 (Ex.P1), was issued.

4. Learned counsel for the petitioner would submit that to the show cause notice (Ex.P1), the petitioner submitted a detailed explanation dated 07.03.2025 (Ex.P2). However, no action has been taken to revoke the suspension order. He would further submit that the authorities may terminate the petitioner's dealership, without following the due process of law.

5. Learned standing counsel for respondents 2 to 4 would submit that respondent No.3 will strictly adhere to clause (8) of the Marketing Discipline Guidelines (for short 'the Guidelines').

6. Thus, as seen from the material available on record, there is no dispute regarding the petitioner filing W.P.No.1756 of 2025; disposal of the same; issuance of notice under Ex.P1 and submission of explanation by the petitioner, under Ex.P2.

7. The learned counsel for the petitioner has drawn the attention of this Court to various issues. However, they being disputed questions of fact, it is not advisable to adjudicate the said issues at this juncture.

8. Since the petitioner submitted an explanation dated 07.03.2025 touching all the issues, learned respondent No.3 or any other appropriate authority shall consider (Ex.P2) and pass a reasoned order strictly adhering to clause (8) of the Guidelines.

9. With the above direction, this writ petition is disposed of at the admission stage, with the consent of learned counsel on either side. No costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

//TRUE COPY//

Sd/- P.VINOD KUMAR
ASSISTANT REGISTRAR

[Signature]

SECTION OFFICER

To,

1. The Secretary, Union of India, Ministry of Petroleum and Natural Gases Sastri Bhavan, New Delhi.
2. The Executive Director and the State Head, Indian Oil Corporation Limited, Moosapet, Hyderabad, Telangana State (TS).
3. The Divisional Retail Head, Indian Oil Corporation Limited, Bharathi Nagar, Vijayawada.
4. The Assistant Controller Legal Metrology, Department of Legal Metrology, D. No.23B-3-6, Kasturivari Street, R.R. Pet, Eluru, Eluru District.
5. The Managing Director, Gilbargo Veeder Root India Pvt Ltd., Corporate Office, Art Guild House, B Wing, 1st Floor, Pheonix Market city, L.B.S Road, Kurla West, Mumbai - 400070.
6. One CC to Sri K Satyanarayana Murthy, Advocate [OPUC]
7. One CC to Sri S.V.V.Siva Ram, Advocate [OPUC]
8. One CC to Smt M. Uma Devi, Advocate [OPUC]
9. Two CD Copies

RAM

HIGH COURT

DATED:17/03/2025

ORDER

WP.No.6680 of 2025



**DISPOSING OF THE WP
WITHOUT COSTS**