

[3459]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

MONDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 33553 OF 2025



Between:

Bhavya Sri Transport, Registered Office at D.No . 5 - 130, Chendurthi,
Gollaprolu Mandal, East Godavari District rep. by its Proprietor, Pilla Bulli
Babji, S/o. Satyanarayana, Aged about 41 years, R/o. D.No . 5 - 130,
Chendurthi, Gollaprolu Mandal, Kakinada District

Petitioner

AND

1. The Union of India, Rep. by the Secretary, Ministry of Petroleum and Natural Gas, Kartavya Bhawan - 03, Janpath, New Delhi - 110001
2. Bharat Petroleum Corporation Limited, Rep. by its Territory Manager (Retail), Nellore Territory, R/o. D.No .26 - 3 - 171 /1, B.V Nagar, Mini Bypass Road, Nellore - 524 004
3. The Coastal Installation Manager, Krishnapatnam Port, BPCL PO, Bag No. 1, Muthukur- 524 344, SPSR Nellore District
4. The Divisional General Manager (Retail) (South), Bharat Petroleum Corporation Limited, Ranganathan Gardens, 11th Main Road, Annanagar, Chennai - 40

Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the impugned Order in BPCL/KCI/Transport/ MALPRACTICE / BLACKLISTING/ 01 dt. 20.11.2025

issued by 2nd Respondent in blacklisting the Petitioner's two tank lorries bearing registration nos. AP 39 VB 5775 and AP 39 WB 5333 along with its crew on an industry basis for a period of two years starting from 28.07.2025, also unauthorized blacklisting of tank Lorry with Regd. No. AP 16 TH 3600 along with its crew on industry basis and also imposed penalty of Rs. 4,00,000/- (Rupees four lakhs) under clause 8.2.3 of ITDG guidelines, which was forcibly deducted from Petitioner's pending bills without any authority as illegal, arbitrary and unconstitutional and consequently set aside the impugned Order, dt. 20.11.2025 with a direction to the Respondents to continue the Petitioner's transport contract under provisional LOA dt 28.07.2025, by directing Respondent No. 2 to immediately restore loading operations for Petitioner's tank lorries bearing Registration Nos AP39VB5775, AP39WB5775 and AP16TH3600.

IA NO: 2 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents to refund Rs. 4,00,000/- (Rupees four lakhs) to the Petitioner which was imposed as penalty, without proper authority and forcibly deducted from Petitioner's pending bills and to pass, Pending disposal of WP 33553 of 2025, on the file of the High Court.

IA NO: 1 OF 2025

Petition under Section 151 CPC is filed 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 corporation to continue the Petitioner's transport contract in respect of the tank lorry bearing registration no: AP 16 TH 3600, which is not included in the impugned order of blacklisting dt: 20.11.2025, Pending disposal of WP 33553 of 2025, 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 Ms.MSVS

SUDHA RANI Advocate for the Petitioner, Additional Solicitor General for the Respondent No.1 and the Court made the following.

ORDER

Learned counsel for the petitioner is permitted to take out personal notice to respondent Nos.2 to 4 through R.P.A.D/Speed Post and file proof of service before the Court.

Registry is directed to print the name of Ms.M. Umadevi, learned Standing Counsel for the respondent No.1 in the cause list.

Learned counsel for the petitioner submits that the petitioner is operating three vehicles vide vehicle bearing Nos. AP 39 VB 5775, AP 39 WB 5333 and AP 16 TH 3600 for transporting oil from Krishnapatnam Port to various bunk dealers. On 20.11.2025, the respondents have black listed two lorries bearing registration Nos. AP 39 VB 5775 and AP 39 WB 5333. He further submits that that in view of the said proceedings, now the respondents are not allowing the petitioner to operate vehicle bearing registration No.AP 16 TH 3600.

Since the vehicle bearing registration No.AP 16 TH 3600 was not black listed by the respondents, there shall be an interim direction permitting the petitioner to operate the vehicle bearing Registration No. AP 16 TH 3600.

Post the matter after eight (08) weeks.

//TRUE COPY//

SD/-U.SRI DEVI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Secretary, Union of India, Ministry of Petroleum and Natural Gas, Kartavya Bhawan - 03, Janpath, New Delhi - 110001

2. The Territory Manager (Retail), Bharat Petroleum Corporation Limited, Nellore Territory, R/o. D.No .26 - 3 - 171 /1, B.V Nagar, Mini Bypass Road, Nellore - 524 004
3. The Coastal Installation Manager, Krishnapatnam Port, BPCL PO, Bag No. 1, Muthukur- 524 344, SPSR Nellore District
4. The Divisional General Manager (Retail) (South), Bharat Petroleum Corporation Limited, Ranganathan Gardens, 11th Main Road, Annanagar, Chennai - 40(1 to 4 by RPAD)
5. One CC to Ms. MSVS SUDHA RANI, Advocate [OPUC]
6. One CC to Ms.M.UMADEVI, Standing Counsel [OPUC]
7. One CC to Additional Solicitor General, High court of A.P [OPUC]
8. The Section Officer, Posting Section, High Court of Andhra Pradesh
9. **One spare copy**

adp

HIGH COURT

JS,J

DATED:01/12/2025

POST THE MATTER AFTER EIGHT (08) WEEKS

ORDER

WP.No.33553 of 2025

INTERIM DIRECTION

