

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF JANUARY 2016

BEFORE

THE HON'BLE MR. JUSTICE ASHOK B. HINCHIGERI

WRIT PETITION No.549/2016 (GM-PDS)

BETWEEN:

Sri M.Kotrabasappa,
S/o Sri M.Veerappa,
Aged about 60 years,
R/o Neelagunda,
Harapanahalli taluk – 577 131,
Davanagere District.

...Petitioner

(By Sri N.R.Harish, Advocate for
Sri B.M.Siddappa, Advocate)

AND:

1. The Commissioner,
Food and Civil Supplies,
Department of Food and Civil Supply
Consumer Affairs, Cunningham Road,
Bangalore – 560 002.

2. The Deputy Commissioner,
Davanagere District,
Davanagere – 577 001.

... Respondents

(By Smt.Shwetha Krishnappa, HCGP)

This writ petition is filed under Articles 226 and 227 of the Constitution of India praying to quash the endorsement dated 23.12.2015 produced as Annexure – B to the writ petition.

This writ petition coming on for preliminary hearing this day, the Court made the following:

ORDER

Smt. Shwetha Krishnappa, the learned High Court Government Pleader is directed to take notice for the respondents.

2. The petitioner's grievance is over the second respondent's endorsement, dated 23.12.2015 (Annexure-B) turning down the petitioner's request for the renewal of the authorization for distributorship of kerosene, as the application for renewal was filed belatedly.

3. The issue raised in this petition is squarely covered by this Court's order, dated 15.6.2015 passed in W.P.No.22821/2015 (Annexure-E). Following the said decision, I quash the impugned endorsement and direct the respondent No.2 to consider the petitioner's application for the renewal of the authorization for

distributorship of kerosene by collecting the penalty, etc. in terms of the Circular, dated 9.2.2015 (Annexure-C).

**Sd/-
JUDGE**

MD