

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.41087 of 2014

Date:31.12.2014

Between:

H.R.Ranganath,
S/o Hanumanthappa

..... Petitioner

And:

The State of Telangana., repto by its Principal
Secretary, Civil Supplies Department,
Hyderabad and three others.

.....Respondents

Counsel for the Petitioner: Sri P.Narahari Babu

Counsel for the Respondents: GP for Civil Supplies (TS)

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to set aside proceedings in Rc.No.B/368/2014, dated 08.09.2014, of respondent No.4, whereby he has suspended the petitioner's fair price shop authorization.

At the hearing, learned Assistant Government Pleader for Civil Supplies (Andhra Pradesh) has not disputed that under the A.P. State Public Distribution System (Control) Order, 2008 existing as at present, respondent No.4 has no power or authority to suspend the authorization of the fair price shop dealer. He has, however, submitted that for the month of January, 2015, release order has already been issued in favour of the in-charge dealer.

In the light of the fact that the impugned order

passed by respondent No.4 is without jurisdiction, the same is set aside as the release order is stated to have been issued in favour of in-charge dealer in pursuance of the patently illegal order, respondent No.4 is directed to forthwith cancel the release order and issue the release order in favour of the petitioner.

Subject to the above direction, the Writ Petition is allowed.

As a sequel to disposal of the Writ Petition, W.P.M.P.No.51461 of 2014 filed by the petitioner for interim relief is disposed of as infructuous.

JUSTICE
C.V.NAGARJUNA REDDY

31st December 2014
DR