

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.5250 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies appearing for respondents 1 to 4.

This Writ Petition is filed seeking to declare the action of the 3rd and the 4th respondents in not supplying the essential commodities to the petitioner's fair price shop No.11, Pandregupally Village, Mudigonda Mandal, Khammam District, as arbitrary and illegal.

The petitioner is the dealer of fair price shop No.11, Pandregupally Village, Mudigonda Mandal, Khammam District. On 18.02.2015, the Vigilance and Enforcement Circle Inspector along with the Revenue Inspector (Civil Supplies) Khammam, inspected the fair price shop of the petitioner, verified the stock and found certain variations in the stock. Therefore, the officials seized 67.00 quintals of rice, 3.50 quintals of tur dal, 1.75 quintals of sugar, registered a case under Section 6-A of the Essential Commodities Act, 1955, against the petitioner and sent a report to the 2nd respondent. Based on the said report, the 3rd and the 4th respondents stopped supplying the essential commodities to the fair price shop of the petitioner. Thereafter, the petitioner submitted a representation dated 24.02.2015 before the 3rd respondent seeking supply of essential commodities. But, no action has been taken thereon.

Learned counsel appearing for the petitioner submits that the petitioner is running the said fair price shop for the last 10 years

without any complaint and the alleged variation is ignorable. He further submits that though authorization of the petitioner is neither suspended nor cancelled, the 3rd and the 4th respondents are not supplying the essential commodities to his fair price shop.

Therefore, the respondents are directed to supply the essential commodities to the fair price shop of the petitioner during subsistence of his authorization. However, this order does not preclude the competent authority to conduct enquiry into the allegations levelled against the petitioner and passing final orders.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R. KANTHA RAO

4th March, 2015

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