

IN THE HIGH COURT OF JUDICATURE; AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WRIT PETITION No. 29121 of 2014

BETWEEN

Katta Venkataramaiah

...Petitioner

And

The Government of Andhra Pradesh,
Rep. by its Principal Secretary, Civil Supplies Department,
Secretariat, Hyderabad and ors.

...Respondents.

DATE OF JUDGMENT PRONOUNCED: 12.08.2015.

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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| 1. Whether reports of Local newspapers
may be allowed to see the judgments? | YES |
| 2. Whether the copies of judgments may be
marked to Law Reporters/Journals. | NO |
| 3. Whether Their Ladyship/Lordship wish to | |

see the fair copy of the Judgment ?

NO.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 29121 of 2014

ORDER:

Heard learned Counsel for the petitioner, learned Government Pleader for Civil Supplies and learned Counsel for the impleaded respondents.

The petitioner was appointed as Fair Price Shop Dealer for Shop No. 5 of Kattavaripalem village, Kondepi Mandal, Prakasam District on permanent basis. It appears that pursuant to the report submitted by the fourth respondent, the third respondent issued a show cause notice on 30.08.2014. After receiving the explanation from the petitioner, the third respondent by impugned order dated 12.09.2014 cancelled the authorization of the petitioner. Challenging the same, the petitioner filed the present Writ Petition.

This Court by order dated 25.09.2014 while admitting the Writ Petition granted interim suspension of the operation of the order dated 12.09.2014 passed by the third respondent. By virtue of the same, the petitioner has been continued as Fair Price Shop Dealer as of today.

Later on WPMP.No. 39001 of 2014 was filed seeking impleadment of respondents 5 to 9 and the said petition was allowed by order dated 11.11.2014. The learned Counsel for the

impleaded respondents submits that though the impleaded respondents filed caveat petition, the petitioner having received the same, did not implead the parties and obtained order dated 25.09.2014 behind their back.

Fifth respondent filed WVMP.No. 3524 of 2014 seeking vacation of the interim order dated 25.09.2014.

Having perused the impugned order, it is clear that there is alternative remedy of appeal against the same. In that view of the same, the learned Counsel for the petitioner as well as learned Counsel for the respondents agreed for passing of the following order.

The petitioner should file appeal before the second respondent against the impugned order dated 12.09.2014 of the third respondent within thirty days from today and the petitioner shall be continued as Fair Price Shop Dealer till then. If the petitioner prefers appeal against the impugned order as directed supra along with stay petition, the second respondent shall consider the stay petition and pass appropriate orders thereon on.

The Writ Petition is disposed of accordingly with the consent of the parties. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A. RAMALINGESWARA RAO

DATED 12th August, 2015.
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