

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.2747 of 2014

ORDER:

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

2. The petitioner was appointed as a fair price shop dealer of shop No.29 of Turkapally Village, Vangoor Mandal, Mahaboobnagar District and his authorisation was valid upto 31.03.2014. The petitioner was shown as an accused in Crime No.65/2012 and also in Crime No.23/2013, and on that ground, his authorisation was suspended on 07.03.2013. But on filing an appeal, respondents 3 and 4 continued the authorisation of the petitioner. Thereafter, Crime No.65/2012 was dismissed and the authorisation of the petitioner was restored. Again the authorisation of the petitioner was suspended on 23.01.2014 on the ground that the petitioner was involved in Crime No.23/2013 and the case is pending before the Court of Judicial Magistrate of First Class, Kalwakurthy. Challenging the same, the present writ petition is filed.

3. This Court, by order dated 25.02.2014 while admitting the writ petition, granted interim suspension of the order dated 23.01.2014, and by virtue of the same, the petitioner has been continuing as the fair price shop dealer till now. Now WVMP.No.3167 of 2015 is filed by respondents 5 to 11 seeking vacation of that order. It is stated that respondents 5 to 11 are the complainants.

4. The above facts reveal that the authorisation of the petitioner was suspended on the ground that he was involved in Crime No.23/2013 which was referred to the Court of the of Judicial Magistrate of First Class, Kalwakurthy. The pendency of the said criminal case and its impact on the dealership has to be considered by the third respondent.

Hence, the third respondent is directed to conduct an enquiry whether it amounts to violation of the conditions of A.P.S.P.D.S. (Control) Order, 2008 and pass appropriate orders in accordance with law, after giving notice to the petitioner as well as to respondents 5 to 11, within a period of three months from the date of receipt of a copy of this order. Till the order is passed by him, the interim order granted by this Court on 25.02.2014 would continue.

5. Subject to the above observations, the Writ Petition is disposed of. No order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 02.09.2015

TJMR