

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.10320 of 2015

ORDER:

Heard the learned counsel appearing for the petitioner and the Government Pleader for Civil Supplies for the State of Andhra Pradesh.

2. This writ petition is filed seeking writ of *Mandamus* declaring the orders passed by the 3rd respondent dated 29.09.2009 confirming the orders passed by the 4th respondent dated 20.10.2009 wherein the hawkership of the petitioner was cancelled, as illegal and arbitrary and for a consequential direction to set aside the same.

3. Learned counsel appearing for the petitioner would submit that the 4th respondent has passed orders in Rc.No.24/2009-DT dated 29.09.2010 cancelling the hawkership of the petitioner without conducting proper enquiry. Aggrieved by the said order, the petitioner preferred a revision petition before the Joint Collector and as the same was not disposed of within a reasonable time, he filed a writ petition before this Court in WP No.26061 of 2014 seeking a direction to the 2nd respondent to dispose of the revision. The learned single Judge of this Court disposed of the said writ petition on 17.09.2014 directing the 2nd respondent to dispose of the revision petition within a period of four weeks. Thereafter, pursuant to the said directions, the 2nd respondent –Joint Collector, Guntur, made an endorsement dated 01.12.2014 stating that the revision petition is time barred and also it does not lie before him. It seems that the revision petition is filed by the petitioner under the impression that it lies before the Joint Collector. Further, time had been spent by the petitioner in this Court by filing a writ petition to seek a direction for disposal of the revision petition. Under

these circumstances, the delay, if any, in filing the revision petition requires to be condoned. The petitioner is, therefore, directed to file a revision petition before the appropriate authority i.e., Collector and District Magistrate, Guntur, within a period of four (4) weeks from the date of receipt of a copy of this order. On filing such revision petition by the petitioner, the District Collector, Guntur, is directed to dispose of the same within a period of four (4) weeks thereafter.

4. The writ petition is accordingly disposed of. Miscellaneous applications, if any, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 15.04.2015
BSS

HON'BLE SRI JUSTICE R. KANTHA RAO

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