

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.456 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 respondents in not supplying the essential commodities to the petitioner during subsistence of her temporary authorization, as arbitrary and illegal.

The petitioner is a temporary fair price shop dealer of M.Agraharam Village, Maddikera Mandal, Kurnool District. She was granted temporary authorization on account of suspension of the authorization of the permanent fair price shop dealer.

Learned counsel appearing for the petitioner submits that due to political pressure, the respondent-authorities are contemplating to discontinue the petitioner without there being any specific allegations against him.

Counter-affidavit has been filed on behalf of the 4th respondent wherein it is stated that the

petitioner is involved in certain irregularities and has not been distributing the essential commodities at the authorized and designated premises and to the card holders properly. It is further stated that the petitioner is not maintaining the notice board by showing the price list of the essential commodities with a view to collect higher amount.

Having regard to the facts and circumstances of the case, this Court is of the view that till the permanent fair price shop dealer is appointed or the charges levelled against the petitioner are proved in accordance with law, his authorization cannot be suspended.

In view of the above, the respondents are directed to continue the petitioner as temporary fair price shop dealer till the permanent fair price shop dealer is appointed or the charges levelled against him are proved in accordance with law.

With the above direction, 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 February, 2015
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