

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.4819 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies appearing for respondents 1 to 5.

This Writ Petition is filed seeking to declare the action of the 4th respondent in suspending the authorization of the petitioner in respect of fair price shop No.24, Marutla Colony-III, Marutla Village, Kuderu Mandal, Anantapur District, as arbitrary and illegal.

The petitioner is the permanent fair price shop dealer of shop No. 24, Marutla Colony-III, Marutla Village, Kuderu Mandal, Anantapur District. The petitioner is running the said fair price shop for the last 8 years without any complaint. While so, the authorization of the petitioner was suspended on the ground that she is running the fair price shop through benami viz., Ramalinge Naik.

Learned counsel appearing for the petitioner submits that the alleged benami is none other her father and as per G.O.Ms.No.16, he will not come under the meaning of benami.

A perusal of the said G.O.Ms.No.16 goes to show that in the event of a women dealer getting married and in the event of her leaving the village, she must relinquish the fair price shop dealership.

In any event, the impugned order was passed

suspending the dealership pending enquiry by the 4th respondent-Revenue Divisional Officer, in view of the order of the Division Bench of this Court in W.A.M.P.No.343 of 2015 in W.A.No.118 of 2015, the 4th respondent is directed to conduct enquiry and pass final order within a period of eight weeks from the date of receipt of a copy of this order. However, if the enquiry is not completed within the stipulated period, the authorization of the petitioner shall stand revoked.

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

27th February, 2015

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