

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.23514 of 2009

Date:14.10.2015

Between:

Bellamkonda Narasimha Reddy,
S/o Raji Reddy

..... **Petitioner**

And:

The District Collector, Karimnagar
and three others.

.....**Respondents**

Counsel for the Petitioner: Mr. K.Venu Madhav

Counsel for the Respondents: GP for Civil Supplies (TS)

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to set aside order, dated 15.7.2009, in Revision No.G4/997/2009, of respondent No.1 confirming orders in Appeal Case No.G4/129/ 2008, dated 21.02.2009 and proceedings No.D/2163/2007, dated 06.9.2007, of respondent Nos.2 and 3 respectively.

The petitioner was fair price shop dealer of Shop No.4526 of Godavarikhani town, Ramagundam Mandal, Karimnagar District. His authorisation was cancelled by proceedings, dated 06.9.2007, of respondent No.3 on the ground that he was involved in a criminal case; that he is not residing in the headquarter; and that his fair price shop was being run by an unauthorised person by name

Mr. B.Satyanarayana Reddy, who is the fair price shop dealer of Shop No.4513. This order was confirmed in appeal and revision by respondent Nos.2 and 1 respectively. Feeling aggrieved by these orders, the petitioner filed this Writ Petition.

At the hearing, learned Government Pleader for Civil Supplies (Telangana State) placed before the Court the judgment, dated 18.11.2005, in SC.No.910 of 2001 on the file of the Court of the Assistant Sessions Judge, Peddapalli and the judgment, dated 19.02.2007, in Criminal Appeal No.27 of 2006 on the file of the Court of Sessions Judge, Karimnagar, a perusal of which shows that the petitioner was convicted in S.C.No.910 of 2001 for the offence under Section 307 IPC and was sentenced to undergo rigorous imprisonment for a period of five years and to pay a fine of Rs.500/- and in default, to undergo Simple Imprisonment for three months. The said judgment was questioned in Criminal Appeal No.27 of 2006 by the petitioner. By judgment, dated 19.02.2007, the Sessions Judge, Karimnagar has confirmed the conviction and sentence of the petitioner passed by the learned Assistant Sessions Judge.

Mr. K.Venu Madhav, learned counsel for the petitioner, has not disputed the above facts. He has, however, submitted that his client has filed a Criminal Revision Case and that liberty may be given to his client to approach respondent No.3 for restoration of his authorisation, in the event, he is acquitted of the offence in the Criminal Revision Case.

In the light of the above facts, the Writ Petition is dismissed with liberty to the petitioner in terms of the prayer made.

As a sequel to dismissal of the Writ Petition,
interim order, dated 14.12.2009, is vacated and
WPMP.No.30529 of 2009 is dismissed as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*14th October 2015
DR*