

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.33027 of 2015

ORDER:

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

The petitioner was appointed as fair price shop dealer of shop No.28 of Maduru Village of Chapadu Mandal in YSR Kadapa District. While so, the shop of the petitioner was inspected by Enforcement Tahsildar, Proddatur on 04.09.2014 and seized the available stock on the ground that certain irregularities took place. Proceedings under Section 6-A of the Essential Commodities Act were initiated against the petitioner and they are pending. On 12.09.2014 the authorization of the petitioner was suspended by the third respondent-Revenue Divisional Officer, Jammalamadugu, based on the report submitted by the inspecting officer on 04.09.2015. Challenging the same, the petitioner filed Writ Petition No.28902 of 2014 and this Court, by order dated 26.09.2014, set aside the order of suspension dated 12.09.2014, but giving liberty to the third respondent to take action against the petitioner if the petitioner commits any violation of Control Order 2008 thereafter.

Thereafter, an order was passed by the third respondent on 19.02.2015 cancelling the authorization of the petitioner, pursuant to the show cause notice dated 27.10.2014. Challenging the same, the petitioner filed another Writ Petition No.8825 of 2015 and this Court did not interfere with the order of cancellation, but giving liberty to the petitioner to file an appeal before the competent authority. Accordingly, the petitioner filed the appeal before the second respondent-Joint Collector, Kadapa, and now the present writ petition is filed for supply of essential commodities on the ground that making alternative arrangements pending appeal before the second respondent is illegal.

The learned Government Pleader for Civil Supplies produced before me a copy of the instructions dated 10.10.2015 issued to him stating that the third respondent issued proceedings on 04.05.2015 appointing one Shravani, who belongs to Self Help Group, temporarily in respect of petitioner's fair price shop to distribute essential commodities to the card holders and the said group was continuing the distribution as on the date of passing of the order dated 23.06.2015

passed by this Court in Writ Petition No.8825 of 2015.

In view of the same, the petitioner is not entitled for supply of essential commodities. However, depending on the orders passed by the second respondent, the third respondent shall pass further orders in this matter.

Accordingly, the writ petition is dismissed. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. No order as to costs.

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A. RAMALINGESWARA RAO, J

Date: 13.10.2015

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