

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

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WRIT PETITION No.34438 of 2015

Between:

G.Bheem Rao and another.

....Petitioners

and

The State of Telangana,
Rep.by its Principal Secretary,
Food & Civil Supplies Department,
Secretariat, Hyderabad,
And others.

....Respondents

JUDGMENT PRONOUNCED ON : 14.10.2015

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO :

1. Whether Reporters of Local newspapers : Yes

may be allowed to see the Judgments?

2. Whether the copies of judgment may be : No

Marked to Law Reporters/Journals?

3. Whether Their Ladyship/Lordship wish to : No

see the fair copy of the Judgment?

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.34438 of 2015

ORDER:

The petitioners are nominated retail dealers of shop Nos.445 and 198 of Nacharam Village, Ranga Reddy District. The authorisation of the petitioners expired on 31.03.2015 and a show cause notice was issued to the petitioners by the fourth respondent asking them to appear before him to show cause as to why their authorisation should not be cancelled. The petitioners appeared before the fourth respondent and they were directed to submit explanation as to why their authorisation should not be cancelled for non-submission of renewal fee challan in time for the year 2013 and 2015 even after completion of grace period of one month. The petitioners requested for restoration of authorisation informing that the mistake will not be repeated in future. The fourth respondent passed an order on 18.08.2015 cancelling the authorisation and forfeiting the entire security deposit in favour of the Government, against which the petitioners filed applications on 04.09.2015 to the second respondent and when no orders were passed in the said applications, the present Writ Petition is filed.

It is submitted by the learned Counsel for the petitioners that under sub-clause 14(iii) of Clause 5 of the Andhra Pradesh State Public Distribution System (Control) Order, 2008, the second respondent is alone the competent authority to relax the provision and authorize the fourth respondent to issue fresh authorisation, and in view of the same, the second respondent should have considered the applications as expeditiously as possible.

In view of the pendency of the applications before the second respondent, this Court is not inclined to express any opinion on the merits of the case, but directs the second respondent to consider the applications of the petitioners dated 04.09.2015, within a period of sixty days from the date of receipt of a copy of this order, and pass appropriate orders thereon in accordance with law.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

14.10.2015

Note: Issue C.C in three days.

B/o.

vs

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