

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.6291 of 2015

ORDER:

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

2. This writ petition is filed seeking writ of *Mandamus* declaring the inaction of the 2nd respondent in not passing any orders on the stay petition filed along with an appeal challenging the proceedings dated 27.02.2015 passed by the 3rd respondent whereunder he cancelled the authorisation of the petitioner's Shop No.10, Umamaheswarapuram Village, Mundlamuru Mandal, Prakasam District, without conducting an independent enquiry, as illegal and arbitrary.

3. It is submitted by the learned counsel appearing for the petitioner that the authorisation of the petitioner was earlier suspended on the ground that the essential commodities were kept in unauthorised premises and that he has not been supplying the commodities to certain cardholders. The petitioner approached this Court and this Court in WP No.32875 of 2014 set aside the order of suspension. The version of the petitioner is that he made an application to the 4th Respondent-Tahsildar to change the premises and the 4th respondent permitted him to change the premises by proceedings dated 22.08.2014. Therefore, according to the petitioner, the first charge is groundless. Further it is submitted that the 3rd respondent-Revenue Divisional Officer, without conducting any enquiry, only on receiving explanation from the petitioner, cancelled the authorisation of the petitioner, which is assailed in the present writ petition, as illegal. However, the petitioner filed an appeal before the 2nd respondent-Joint Collector on 02.03.2015 along with stay petition and the same is pending with the 2nd respondent.

4. Under the above circumstances, on being satisfied that the order of cancellation was passed without conducting any enquiry, there shall be interim suspension of the order of cancellation during the pendency of the appeal before the

2nd respondent-Joint Collector. The 2nd respondent-Joint Collector is directed to dispose of the appeal as well as the stay petition filed by the petitioner, within a period three (3) months from the date of receipt of a copy of this order.

5. The writ petition is accordingly disposed of. Miscellaneous applications, if any, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 12.03.2015

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HON'BLE SRI JUSTICE R. KANTHA RAO

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Date: 12.03.2015

