

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 21264 of 2015

DATED 10th July, 2015

BETWEEN

Kotte Akkaiah

...Petitioner

And

The State of Andhra Pradesh,
Rep. by its Secretary, Civil Supplies Department,
Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 21264 of 2015

ORDER:

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Heard learned Counsel for the petitioner and learned Government Pleader for the respondents.

The petitioner was appointed as Fair Price Shop Dealer for Shop No. 5 of Vinukonda town, Guntur District. It is stated that the authorization of the petitioner is in force. While so on 22.09.2014 the Assistant Supply Officer, Narasaraopet inspected the fair price shop of the petitioner and submitted a report, based on which, the second respondent issued a show cause notice on 3.12.2014 asking the petitioner to submit his explanation. The petitioner submitted his explanation on 12.12.2014. By considering the said explanation, the further proceedings against the petitioner were dropped by order dated

31.12.2014. Thereafter, the petitioner submitted a representation to the third respondent in the month of February, 2015 for release of the stock. In spite of the same, when the stock was not released, the present Writ Petition is filed.

It is to be seen that the third respondent should have seen that so long as the authorization is subsisting and in force, the petitioner is entitled for release of the stock and the same cannot be denied. Having regard to the same, the present Writ Petition is allowed by directing respondents 2 and 3 to release the stock so long as the authorization of the petitioner is in force.

Miscellaneous petition pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

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JUSTICE A.RAMALINGESWARA RAO

Dated 10th July, 2015.
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