

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.1777 of 2012

Date:10.06.2015

Between:

Kotha Bala Kotaiah,

S/o Borraiah

..... Petitioner

And:

The Collector (C.S.), Prakasam

and three others.

.....Respondents

Counsel for the Petitioner: Ms K.Hemalatha

Counsel for Respondents: AGP for Civil Supplies (AP)

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to set aside the proceedings, vide Rc.No. /1531/2-11, dated 11.01.2012, of respondent No.2, whereby he has suspended the petitioner's fair price shop authorisation in respect of Shop No.6 of Polireddypalem Village, Kondepi Mandal, Prakasam District.

This Court by order, dated 27.01.2012, has suspended the impugned order.

Learned Assistant Government Pleader for Civil Supplies (Andhra Pradesh) submitted that in view of the pendency of the Writ Petition, the enquiry is still pending before the respondent.

As the impugned order is interim in nature pending completion of enquiry and passing of a final order, it is appropriate that the respondent completes the enquiry and passes a final order after giving an opportunity of being heard to the petitioner. Therefore, without adjudicating on the legality or otherwise of the impugned order, the Writ Petition is disposed of with the direction to the respondent to complete the enquiry, pass a final order and communicate the same to the petitioner within a period of three months from the date of receipt of a copy of this order. As the petitioner is being continued as fair price shop dealer in pursuance of the interim order all through the pendency of the Writ Petition, he shall be continued as such till final order is passed and communicated to him by the respondent.

As a sequel to disposed of the Writ Petition, interim order, dated 27.01.2012, in WPMP.No.2214 of 2012 is vacated and WPMP.No.2214 of 2012 and WVMP.No.2842 of 2012 are disposed of as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

10th June, 2015

DR