

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

-

WRIT PETITION No.381 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies. The Writ Petition is being disposed of at the stage of admission with the consent of parties.

The petitioner is a Rice-Miller. She submitted an application to the second respondent for issuance of licence to do business in food grains as wholesaler and retailer. The second respondent issued licence on 30.08.2008 valid upto 31.03.2009. Later, it was renewed from time to time and, lastly, it was renewed upto 31.03.2013. Though the petitioner submitted required challan, no action was taken for renewal of licence of the rice-mill.

It appears that inspection of the business of the petitioner was conducted on 25.02.2013 and proceedings, under Section 6-A of the Essential Commodities Act (for short 'the Act'), were concluded on 01.07.2013 confiscating 50% of the seized stock in M.C.No.30 of 2013. The petitioner preferred an appeal in Crl.A.No.80 of 2013, and it was disposed of on 26.11.2014 modifying the order dated 01.07.2013. Against the said order, criminal revision is filed which is pending before this Court.

Once again, stocks were seized from the business premises of the petitioner on 05.06.2013 and proceedings, under Section 6-A of the Act, were taken up in M.C.No.79 of 2013. An order was passed confiscating the entire stock. Against the said order, the petitioner preferred an appeal before the learned Principal Sessions Judge who, by an order dated 26.11.2014 in Crl.A.No.79 of 2013, confirmed the orders of the Collector. A separate Writ Petition is pending challenging the said order. When the licence of the petitioner is not being renewed in spite of payment of challan, the present Writ Petition is filed.

The second respondent filed a counter affidavit stating that the petitioner

has been submitting her application with challan without submitting her original licence contrary to clause 3(iii) of the Andhra Pradesh Scheduled Commodities Dealers (Licensing, Storage and Regulation) Order, 2008 and the file is under circulation to the District Collector, Khammam and, soon after perusal and the orders of the District Collector, action would be taken for further renewal of the licence of the petitioner's rice-mill.

In the above facts and circumstances of the case, the second respondent is directed to consider the application of the petitioner for renewal of food grain licence, in accordance with the rules, within a period of three months from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of.

As a sequel thereto, miscellaneous applications, if any, also stand disposed of. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:08.06.2015

usd

