

HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.30995 of 2011

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Dated: 11.06.2015

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Between:

S.Ramakrishna

.. Petitioner

And

Government of Andhra Pradesh

Rep. By District Collector,

Krishna District, Machilipatnam

and 3 others

.. Respondents

Counsel for the Petitioner : Ms. G.Vedapriya for

Smt. K.Udaya Sri

Counsel for Respondent Nos.1 to 3 : AGP for Civil Supplies (AP)

Counsel for Respondent No.4 : None appeared.

The Court made the following:

ORDER:

This writ petition is filed for a Mandamus to set aside proceedings in Rc.B.9/2011 dated 09.11.2011 of respondent No.3, whereby he has kept respondent No.4 in-charge of the petitioner's fair price shop, pending finalisation of the proceedings under Section 6-A of the Essential Commodities Act, 1955.

This Court, while admitting the writ petition, has suspended the impugned proceeding.

Learned Assistant Government Pleader for Civil Supplies (A.P) submitted that in pursuance of the said interim order, the petitioner is

being continued as fair price shop dealer.

In my opinion, without suspension of the petitioner's authorization, he cannot be prevented from functioning as a fair price shop dealer by way of making in-charge arrangements by respondent No.3. Therefore, the impugned proceedings are wholly without jurisdiction and the same are accordingly quashed.

The writ petition is accordingly allowed.

As a sequel to allowing of the writ petition, interim order dated 24.11.2011 in WPMP.No.38454 of 2011 is vacated and WPMP.No.38454 of 2011 and WVMP.No.4780 of 2011 are disposed of as infructuous.

JUSTICE C.V. NAGARJUNA REDDY

11-06-2015

v v