

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.6307 of 2015

ORDER:

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for the Civil Supplies (AP).

2. This writ petition is filed seeking Writ of *Mandamus* declaring the action of the 2nd respondent in passing the impugned order dated 04.03.2015 against the petitioner's fair price shop dealership of Shop No.7 situated at Sathenapalli Village, Guntur District, as illegal and arbitrary.

3. The essential commodities relating to the fair price shop of the petitioner were transferred to the nearby fair price shop dealer by the respondents on the ground that the petitioner's husband was involved in a criminal case relating to transportation of PDS rice to the black market. Obviously, no commodities have been seized from the fair price shop of the petitioner. Merely because the petitioner's husband was arrested in FIR No.52 of 2015, which was registered for the offence under Section 420 IPC and Section 7 of the Essential Commodities Act, 1955, this court is of the view that the action of the respondents in transferring the fair price shop to the nearby fair price shop is unsustainable in law.

4. In the circumstances, the writ petition is allowed by setting aside the impugned order vide RC.No.93/2015-CSDT., Dated 04.03.2015 passed by the 2nd respondent. Miscellaneous applications, if any, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 19.03.2015
BSS

HON'BLE SRI JUSTICE R. KANTHA RAO

24

Writ Petition No.6307 of 2015

Date: 19.03.2015

BSS