

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

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Writ Petition No.20715 2010

Between:

Mittakola Ashok,
Warangal District.

... Petitioner

And

The District Collector,(Civil Supplies)
Warangal and others.

... Respondents

DATE OF JUDGMENT PRONOUNCED: 7.8.2015

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

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Writ Petition No.20715 of 2010

ORDER:

Petitioner, by this writ petition under Article 226 of the Constitution of India, seeks the following relief:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a writ, Order or direction more particularly one in the nature of Writ of mandamus, declaring the action of the Respondent No.3 passing orders in Proceedings No. C/486/2010, dated 10-7-2010 without giving an opportunity and without seeking any explanation is illegal and arbitrary and unconstitutional and consequently direct the Respondents 3 and 4 to permit the petitioner to continue as Dealer of Shop No.33 of Haripirala Village of Torur Mandal, Warangal District and pass such other Order or Orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.”

This Court, on 31.8.2010, while admitting the writ petition, passed the following interim order.

“It appears, the impugned order is passed, suspending the authorization of petitioner, pending disposal of 6-A proceedings before the Collector. From a reading of the above said order, it is clear that it is not suspension pending inquiry under the provisions of the A.P. Public Distribution System (Control) Order, 2008, as such, it appears that the impugned order is passed without giving any opportunity to the petitioner under Clause 5(5) of the Control Order.

Hence, there shall be interim suspension as prayed for. However, it is made clear that if there are any allegations against the petitioner, this order will not preclude the respondents from conducting inquiry into the same.”

Learned counsel for the parties state that this writ petition may be disposed of in terms of the interim order.

The writ petition is accordingly disposed of in terms of the interim order dated 31.8.2010. This, however, shall not preclude, as stated in the interim order, from taking action against the petitioner, if there are any allegations against him.

Consequently, pending miscellaneous applications shall also stand closed. No costs.

DILIP B. BHOSALE, ACJ

7th August, 2015

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