

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.26063 of 2015

ORDER:

Heard the learned counsel for petitioner and the learned Government Pleader for Civil Supplies for respondents 1 to 5.

2. The petitioner was appointed as a fair price shop dealer of shop No.58 of Atchammakunta, H/o. Koppunuru Village, Macherla Mandal, Guntur District. When the petitioner was not supplied with the stock on an earlier occasion, the petitioner filed W.P.No.10969 of 2015 and the same was allowed on 17.04.2015 by directing the fifth respondent therein to supply the essential commodities to the petitioner. On an earlier occasion also, the petitioner had filed W.P.No.34915 of 2014 challenging the order of suspension dated 15.09.2014. However, when the matter came up for consideration before this Court, the order of suspension itself was withdrawn, by orders dated 18.11.2014, as a result of which, those proceedings were become infructuous.

3. In the instant case, the fifth respondent prepared a list of temporary fair price shop dealers to be appointed in respect of certain shops on 03.07.2015 and inspected the shop of the petitioner on 04.07.2015 and stopped supplying essential commodities to the petitioner. Challenging the action of the respondents in conducting panchanama and launching 6-A proceedings in pursuance of the inspection held on 04.07.2015, the present writ petition is filed.

4. The learned counsel for the petitioner submits that so far neither a show cause notice nor an order of suspension of authorization of the petitioner is passed by the competent authority, the fourth respondent.

5. It is needless to mention that so long as the authorization of the petitioner is in subsistence, he is entitled to receive the essential commodities. In this case, the authoriastion of the petitioner found to be

valid and in force as on today.

6. In the circumstances, the Writ Petition is disposed of directing respondents 4 and 5 to release the stock to the petitioner so long as his authorization is valid and in force. No order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

Date: 07.09.2015

TJMR