

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.6241 of 2015

ORDER:

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for Civil Supplies-respondents.

2. This writ petition is filed seeking writ of *Mandamus* declaring the inaction of the 2nd respondent in not passing orders on the stay petition filed along with the appeal challenging the proceedings No.Rc.F/5147/2014, dated 27.02.2015, passed by the 3rd respondent where under, he cancelled the authorisation of the petitioner's Shop No.11, Umamaheswarapuram Village, Mundlamuru Mandal, Prakasam District, without conducting an independent enquiry, as illegal and arbitrary.

3. It is submitted by the learned counsel appearing for the petitioner that initially, the petitioner's authorisation was suspended on trivial grounds. Challenging the same, the petitioner filed WP No.32839 of 2014, which was allowed and pursuant to the orders passed in the said writ petition, essential commodities were supplied to the petitioner. The petitioner submitted his explanation on 25.02.2015 to the show cause notice dated 08.09.2014 and final order was passed on 27.02.2015 by cancelling the authorisation of the petitioner, without conducting any enquiry. The present writ petition is filed to set aside the cancellation order passed by the 3rd respondent on the ground that it was passed without conducting enquiry and without there being any proof for the charges levelled against him. In any event, the petitioner filed an appeal before the 2nd respondent-Joint Collector (CS) on 02.03.2015, which is now pending. He also filed a petition seeking stay of the order in the said order, but so far no orders have been passed in the stay petition. The petitioner

apprehends that there would be inordinate delay in disposing of the appeal, in which event, he would be subjected to huge loss.

4. Under these circumstances, the writ petition is disposed of directing the 2nd respondent-Joint Collector (CS), Praksaam District, at Ongole, to dispose of the appeal as well as the stay petition filed by the petitioner, within eight (8) weeks from the date of receipt of a copy of this order. Miscellaneous applications, if any, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 12.03.2015
Note: Furnish CC by 16.03.2015
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HON'BLE SRI JUSTICE R. KANTHA RAO

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Date: 12.03.2015

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