THE HONOURABLE MR JUSTICE A.V.SESHA SAI

WRIT PETITION No.595 of 2009

ORDER

This writ petition, filed under Article 226 of the Constitution of India, challenges the action of the respondent in not releasing the monthly kerosene quota to the petitioner.

2. Heard Sri K. Vinaya Kumar, learned counsel for the petitioner and learned Government Pleader for Civil Supplies for respondent.

3. According to the petitioner, he is a kerosene hawker by profession and has been supplying kerosene to the cardholders as per the license issued by the competent authority and that there are no complaints against him from the cardholders for all these years. The grievance précisely in the present writ petition is that despite absence of any suspension or cancellation of his license, the respondent herein stopped the monthly allotment.

4. This Court while issuing rule nisi on 21.01.2009, granted interim direction in W.P.M.P.No.721 of 2009, directing the respondent to release monthly kerosene quota to the petitioner, if the authorization held by the petitioner is neither suspended nor cancelled. The said interim order is subsisting till date. No counter affidavit has been filed.

5. When the matter is called, learned Government Pleader for Civil Supplies has placed on record a letter dated -.02.2009 received from the office of the respondent, wherein it is stated that as per the orders of this Court, the kerosene quota was already released to the petitioner. No explanation is forthcoming as to why

the respondent resorted to the impugned action. In the circumstances, this Court deems it appropriate to make the interim order as final order in the writ petition.

6. For the aforesaid reasons, the Writ Petition is disposed of, directing the respondent herein to release the monthly kerosene quota to the petitioner so long as the license subsists. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

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A.V.SESHA SAI, J

23rd January, 2015

sj