

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.18667 of 2009

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Dated 10th September, 2015

Between:

Mothukuri Subba Rao

...Petitioner

And

The Revenue Divisional Officer, Bandar, Krishna District and another

...Respondents

Counsel for the petitioner: Sri V.H.V.R.R.Swamy

Counsel for the respondents: AGP for Civil Supplies (AP)

The Court made the following:

ORDER:

This writ petition is filed for a mandamus to set aside proceedings bearing RCC No.717/2009, dated 26.06.2009, of respondent No.1, whereby he has suspended the petitioner's fair price shop authorisation pending disposal of the

proceedings under Section 6-A of the Essential Commodities Act, 1955 (for short 'the Act').

At the hearing, the learned counsel for both the parties are unable to state whether the proceedings under Section 6-A of the Act have been disposed of or not.

Inasmuch as the proceedings before respondent No.1 shall be independent of the proceedings under Section 6-A of the Act, respondent No.1 ought not to have made the order of suspension depending upon the result of the proceedings under Section 6-A of the Act. If respondent No.1 feels that further enquiry into the allegations against the petitioner is required, he shall initiate such enquiry and pass a final order within a period of two months from the date of receipt of a copy of this order, failing which, no further action in pursuance of the impugned order of suspension shall be taken against the petitioner.

Subject to the above direction, the writ petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.24420 of 2009 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

10th September, 2015

VGB