

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

* * * *

WRIT PETITION No.23369 OF 2015

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Between:

Patturi Obulesu.

.. Petitioner

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary, Civil Supplies Department,
Secretariat, Hyderabad and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 28-07-2015

SUBMITTED FOR APPROVAL:

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.23369 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies. The Writ Petition is being disposed of at the stage of admission with the consent of parties.

The petitioner was appointed as a fair price shop dealer of shop No.13, Kaluvoya Village and Mandal, SPSR Nellore District. While so, on the basis of the report of the Mandal Revenue Inspector – 1, Kaluvoya, dated 30.03.2015, the Tahsildar, Kaluvoya, issued proceedings dated 01.04.2015 appointing an incharge dealer, when 6A proceedings were initiated against the petitioner. Challenging the same, the present Writ Petition is filed.

The fourth respondent should have seen that pendency of 6A proceedings is different from the proceedings initiated for violation of Andhra Pradesh State Public Distribution System (Control) Order, 2008. The third respondent is the competent authority for initiating proceedings under the Andhra Pradesh State Public Distribution System (Control) Order, 2008 and, on his orders, necessary arrangements have to be made. Disciplinary proceedings are different from proceedings under Section 6-A of the Essential Commodities Act.

In the circumstances, the impugned proceedings of the fourth respondent dated 01.04.2015 are without jurisdiction and are, accordingly, set aside.

The Writ Petition is, accordingly, allowed.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:28.07.2015
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