

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 18407 of 2015

DATED 1st July, 2015

BETWEEN

P.Parvathi Bai

....Petitioner

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Consumer Affairs, food and Civil Supplies Department,
Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 18407 of 2015.

ORDER:

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Heard learned Counsel for the petitioner and learned Government Pleader for the respondents.

The petitioner was appointed as Fair Price Shop Dealer for shop No.108, Dharmavaram, Ananthapur District on temporary basis. On 23.05.2015 the fifth respondent visited the shop of the petitioner and questioned the petitioner with regard to distribution of kerosene oil through e-pass instead of manually. The petitioner complained against illegal demand made by the fifth respondent to the higher authorities. On 10.06.2015 she also submitted a representation to the second

respondent in regard thereto. Be that as it may, the petitioner submitted demand draft on 16.5.2015 to the fourth respondent for release of the stock for the month of June, 2015. Despite the same, when the stock is not released, the present Writ Petition is filed.

The learned Government Pleader based on the written instructions submits that the fifth respondent inspected the shop of the petitioner on 25.5.2015 and it was noticed that the fair price shop was being run by a benami and show cause notice was tried to be served on the petitioner asking her to appear before the Revenue Divisional Officer on 8.6.2015. But the petitioner refused to receive the said show cause notice.

It is to be seen that the authorization of the petitioner is subsisting as of today. Since the authorization of the petitioner is subsisting and in force, the petitioner is entitled to release of the essential commodities.

In that view of the matter, respondents 3 and 4 are directed to release the stock of essential commodities so long as the authorization of the petitioner is subsisting and in force.

The Writ Petition is accordingly disposed of. As a sequel thereto, miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed. No order as to costs.

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JUSTICE A.RAMALINGESWARA RAO

Dated 1st July, 2015.
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