

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.32146 of 2015

ORDER:

The petitioner is a retail kerosene dealer and distributing kerosene under the license issued by respondents 2 and 3 and the same is stated to be subsisting till 31.12.2016. The quota for the month of August, 2015 was released but the quota for the month of September, 2015 was not released. Therefore, the present writ petition is filed.

On the last occasion, the learned Government Pleader for Civil Supplies was directed to get instructions. Today, he submits that the Government decided to distribute the essential commodities through ePOS device from April, 2015 and the essential commodities are being distributed through the said device except the kerosene. Subsequently, instructions were issued by the Joint Collector, Anantapur, to all the Tahsildars directing the dealers to issue kerosene through e-POS machines only vide proceedings dated 16.09.2015. In those circumstances only, the quota was not supplied to the petitioner from the month of September, 2015.

The petitioner is a kerosene dealer within the meaning of A.P. Petroleum Products (Licensing and Regulation of Supplies) Order 1980, and so long as license is subsisting in his favour, the

relationship between the petitioner and respondents 2 and 3 continues and without taking any action under the provisions of the said Control Order, the supplies cannot be stopped.

In the circumstances, the writ petition is allowed by directing the 3rd respondent to supply the kerosene quota from the month of October, 2015.

However, this will not prevent respondents 2 and 3 from taking necessary action in accordance with law and the petitioner can also request for supply of e-pass machine if he is entitled for the same as per the said Control Order. No costs.

Pending miscellaneous petitions, if any, shall stand dismissed in consequence.

A.

RAMALINGESWARA RAO, J

Date: 08.10.2015

Note:

Issue C.C. in three days.

B/o.

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