

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.11908 of 2015

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the fourth respondent in seizure of the petitioner Fair Price Shop No.24, Ummadivaram Village, Vinukonda Mandal, Guntur District, under the Panchanama dated 08.04.2015 on the flimsy reasons as illegal and arbitrary, and consequently direct the respondents to release the essential commodities in favour of the petitioner for distributing the same to the cardholders.

Heard and perused the records.

The brief facts of the case are as follows. That on 08.04.2015, the third respondent along with the other officials visited the shop of the petitioner herein and found some irregularities and also they prepared Panchanama.

Learned counsel for the petitioner submits that the third respondent and other officials have visited the shop of the petitioner. But, the respondents did not prepare any Panchanama on that day and they did not found any irregularities with regard to the balance of the stocks. He further submits that without passing any order, the respondents have stopped supplying the essential commodities to supply the same to the cardholders.

On hearing the learned counsel on both sides, this Court is of the view that without taking any further action on the basis of the Panchanama, the respondents should not have stopped supply of the essential commodities to the petitioner.

In view of the above, the writ petition is disposed of with a direction to the respondents to supply the essential commodities to the petitioner till appropriate orders are passed by the respondents on the basis of the Panchanama in accordance with law. The respondents

are further directed to pass appropriate orders within a period of three months from the date of receipt of copy of this order.

The writ petition is accordingly disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

23.04.2015
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