

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

-

WRIT PETITION No.288 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.

It is the case of the petitioner that she was appointed as a fair price shop dealer on temporary basis by the second respondent on 07.07.2007 in respect of F.P.shop No.27, Kakulavaram Village, L.R.Palle Mandal, YSR Kadapa District. While so, the second respondent passed an order on 28.08.2014 terminating the authorization of the petitioner pending enquiry based on the report submitted by the fourth respondent on 28.08.2014. The fourth respondent's report is based on the report of the Vigilance and Enforcement Deputy Tahsildar, who visited the fair price shop of the petitioner on 06.08.2014 and noticed some irregularities. The petitioner filed an appeal before the second respondent, who, by his order dated 10.10.2014, rejected the appeal. Challenging which, the present Writ Petition is filed.

It is submitted by the learned counsel for the petitioner that, though the petitioner is a temporary dealer, she is entitled to a regular enquiry before terminating her authorization.

A perusal of the order passed by the third respondent on 28.08.2014 shows that the petitioner committed irregularities and a case under Section 6-A of the Essential Commodities Act was booked against the petitioner. The dealership of the petitioner was terminated by proceedings dated 28.08.2014 and the petitioner appealed to the second respondent which was rejected on 10.10.2014. The alternate arrangements, consequent to rejection of appeal by virtue of the order of the third respondent dated 28.08.2014, have been in operation till today. In view of this, this Court is not inclined to admit the Writ Petition. However, respondent Nos.2 and 3 are directed to fill up the vacancy in

respect of fair price shop No.27, L.R. Palle Mandal, YSR Kadapa District, within a period of six months from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, dismissed.

As a sequel thereto, miscellaneous applications, if any, also stand dismissed. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:08.06.2015

usd