

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.10839 of 2015

ORDER:

Heard the learned counsel appearing for the petitioner and the Government Pleader for Civil Supplies for the State of Andhra Pradesh.

2. This writ petition is filed seeking writ of *Mandamus* declaring the action of the 4th respondent in not releasing the stocks to the petitioner Fair Price shop situated at G.Kondareddypalli Village, Varikuntapadu Mandal, SPSR Nellore District, in spite of the orders passed by the 2nd respondent in allowing the appeal Case No.Rc.B.120/2015 dated 13.03.2015 and with further directions of the 3rd respondent to the 4th respondent vide proceedings dated 24.03.2015 to implement the orders in Appeal, as illegal and arbitrary and for a consequential direction to the 4th respondent to implement the orders in Appeal Case No.120/2015 dated 13.03.2015 by releasing the stocks to the petitioner Fair Price shop.

3. Learned counsel appearing for the petitioner submits that the petitioner is the Fair Price shop dealer. While so, the 3rd respondent-Revenue Divisional Officer, Kavali, SPSR Nellore District had suspended the dealership of the petitioner vide order dated 04.02.2015. Against the said order, the petitioner preferred an appeal to the 2nd respondent vide Appeal Case No.Rc.B.120/2015. The 2nd respondent-Joint Collector, after hearing both sides, allowed the said appeal vide order dated 13.03.2015 by imposing penalty of Rs.5000/- on the petitioner and directed the 4th respondent to implement the said orders. The petitioner paid the penalty amount imposed against her. Learned counsel appearing for the petitioner submits that in spite of the fact that the authorisation of the petitioner was restored in the appeal by the 2nd respondent-Joint Collector and the petitioner complied with the order passed by the 2nd respondent, the 4th respondent has not released essential commodities to the fair price shop of the petitioner.

4. In the circumstances, the 4th respondent is directed to release the essential commodities to the Fair Price shop of the petitioner during the subsistence of the authorisation.

5. The writ petition is accordingly disposed of. Miscellaneous applications, if any, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 16.04.2015

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HON'BLE SRI JUSTICE R. KANTHA RAO

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