

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.432 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies appearing for respondents 1 to 4.

This Writ Petition is filed seeking to declare the action of the respondents in not supplying the essential commodities to the petitioner during subsistence of her temporary authorization, as arbitrary and illegal.

The petitioner is a temporary fair price shop dealer for 11th and 12th wards of Maddikera Village, Kurnool District. She was granted temporary authorization on account of suspension of the authorization of the permanent fair price shop dealer.

Learned counsel appearing for the petitioner submits that due to political pressure, the respondent-authorities are contemplating to discontinue the petitioner without there being any specific allegations against her.

Counter-affidavit has been filed on behalf of the 4th respondent wherein it is stated that the

petitioner is involved in certain irregularities and has not been running the fair price shop though authorization granted to her is subsisting. It is further stated that the authorization of the petitioner was valid only upto November, 2014 and subsequent thereto, it was not renewed. It is further stated that to avoid inconvenience to the card holders, the essential commodities were supplied to the petitioner's fair price shop till the end of November, 2014.

Having regard to the facts and circumstances of the case, this Court is of the view that till the appointment of the permanent fair price shop dealer or the charges levelled against the petitioner are proved in accordance with law, her authorization cannot be suspended.

In view of the above, the respondents are directed to continue the petitioner as temporary fair price shop dealer till the permanent fair price shop dealer is appointed or the charges levelled against her are proved in accordance with law.

With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R. KANTHA RAO

4th February, 2015
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