

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition Nos.22754, 22826, 22879

and 22888 of 2015

COMMON ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Civil Supplies appearing for the respondents.

With the consent of both the parties appearing before this Court, these writ petitions are being disposed of by this common order.

The petitioners are fair price shop dealers in Ranga Reddy District. It appears that a news item was published in Telugu newspaper on 06.07.2015 stating that Special Operative Team conducted raids at Venkatareddynagar, Boduppall and they noticed PDS rice was being illegally transported and stored and the said PDS rice was collected from the persons connected with the above dealers.

On the basis of the said information, it appears that the District Supply Officer, Ranga Reddy District issued instructions to inspect the fair price shops run by the above persons and when they were inspected, no variations were found. The Assistant Supply Officer verified from the concerned Police Stations and noticed that the dealers obtained bail from concerned Courts.

He addressed a letter to the second respondent-Collector (CS), Ranga Reddy District for taking further necessary action under the provisions of Andhra Pradesh State Public Distribution System (Control) Order, 2008. Accordingly, the third respondent-Revenue Divisional Officer, Saroornagar, Ranga Reddy District, passed orders on 17.07.2015 suspending the dealerships of the petitioners until further orders. Challenging the same, these writ petitions were filed.

The learned Government Pleader for Civil Supplies confirmed the above facts. In view of the above facts, it is clear that no proceedings were taken against the dealers under the provisions of the Control Order, 2008 and on inspection of their shops, no variations were also noticed. It appears that out of 5 dealers, two dealers were arrayed as accused No.3 & 5, who belong to fair price shop Nos.133 & 158 respectively and whereas in respect of other dealers only their

relatives and workers were involved.

The only allegation is that a news item was published in Telugu daily newspaper stating that the Special Operative Team noticed the illegal transport of PDS rice. In the absence of any proceedings under the Control Order, 2008 against the dealers by issuing appropriate show cause notices, no action can be taken suspending the dealerships of the petitioners.

In the circumstances, this Court is of the opinion that the impugned orders are contrary to law and are accordingly set aside at the admission stage.

Accordingly, these writ petitions are allowed. However, this order will not prevent the third respondent-Revenue Divisional Officer, Saroornagar, Ranga Reddy District from taking appropriate action against the dealers, if they are found to contravene the provisions of Andhra Pradesh State Public Distribution System (Control) Order, 2008, in accordance with law. Miscellaneous Petitions, if any pending in these writ petitions, shall stand closed. No order as to costs.

A. RAMALINGESWARA RAO, J

Date: 23.07.2015

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