

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 31191 of 2015

DATED 23rd September, 2015

BETWEEN

R. Venkata Rami Reddy

...Petitioner

And

State of Andhra Pradesh, rep. by its Principal Secretary,
Civil Supplies Department, Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 33191 of 2015

ORDER:

Heard learned Counsel for the petitioner and learned
Government Pleader for the respondents.

The petitioner was appointed as Fair Price Shop Dealer for shop No. 17 of Gundamcherla Village, Peddaraveedu Mandal, Prakasam District on permanent basis. It appears that the Food Inspector, Markapur along with his staff inspected the fair price shop of the petitioner on 21.11.2014 and conducted a panchanama while seizing the stock. He submitted a report to the third respondent, who thereafter issued a show cause notice on 28.11.2014 levelling as many as five charges against the petitioner. The petitioner submitted his explanation on 25.3.2015. After considering the explanation, the third respondent cancelled the authorization of the petitioner by order dated 25.4.2015. Challenging the same, the petitioner preferred

an appeal to the second respondent on 25.5.2015 along with stay application. When no orders are passed by the second respondent on the stay application, the present Writ Petition is filed.

The learned Counsel for the petitioner submits that the order of cancellation was passed by the third respondent without application of mind as it could be seen from the order of cancellation that it does not contain proceedings number and date. However, as the appeal is preferred against the order of cancellation passed by the third respondent and the said appeal is pending consideration before the second respondent, this Court is not inclined to interfere with the same at this stage. The second respondent is directed either to consider the stay application filed by the petitioner or dispose of the appeal itself within a period of sixty days from the date of receipt of a copy of this order by giving due opportunity to the petitioner.

The Writ Petition is disposed of at the admission stage. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A. RAMALINGESWARA RAO

DATED 23rd September, 2015.
Msnr_x