

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NO.30027 OF 2015

ORDER:

The petitioner is a member of Dwacra Group and was appointed as a fair price shop dealer of Chandragonda Mandal, Khammam District, on temporary basis in the year 2011. On 11.06.2015, the fourth respondent seized an Auto while transporting PDS rice. The driver of the auto reported that he was transporting PDS rice from Chandragonda fair price shop dealer. Based on the said statement, the fourth respondent inspected the shop of the petitioner on 11.06.2015 and registered a case under Section 6-A of the Essential Commodities Act against the violations noticed in the stock. A show cause notice was issued to the petitioner on 11.09.2015. So far the authorization of the petitioner is neither suspended nor cancelled. Challenging the action of the respondents in seizing the petitioner's shop and attaching the shop to the adjacent fair shop dealer, the present Writ Petition is filed.

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

The petitioner was appointed as a fair price shop dealer at Chandragonda Village, Khammam District. The authorization of the petitioner is subsisting as on today. As long as the authorization of the petitioner is in force, the petitioner is entitled for supply of essential commodities. Only a show cause notice is issued to the petitioner by order dated 11.09.2015.

In the circumstances, the Writ Petition is, disposed of directing the third respondent to supply essential commodities to the petitioner so long as the authorization of the petitioner is in force. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(A.RAMALINGESWARA RAO, J)

12th October 2015

RRB