

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

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Writ Petition No.20869 2010

Between:

P. Venkata Naidu,
Palakonda Mandal,
Srikakulam District.

... Petitioner

And

The Joint Collector,
Srikakulam District and others.

...
Respondents

DATE OF JUDGMENT PRONOUNCED: 7.8.2015

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

Writ Petition No.20869 of 2010

ORDER:

Petitioner, by this writ petition under Article 226 of the Constitution of India, seeks the following relief:

“For the reasons stated in the accompanying affidavit filed in support of the writ petition, the petitioner herein prays that this Hon'ble Court may be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction, declaring the order passed by the Revenue Divisional Officer, Palakonda, the 2nd respondent herein, vide Rc. No.808/2010/CS, dt. 12.08.2010 suspending the authorization of the petitioner, as illegal, arbitrary, without jurisdiction, in violation of principles of natural justice and contrary to the provisions of A.P. State Public Distribution System Control Order, 2008 and set aside the same and pass such other order or orders as may be just and necessary.”

This Court, while admitting the writ petition on 23.8.2010, granted interim suspension, obviously, in terms of the prayer made in W.P.M.P. No. 26543 of 2010. The prayer made in the W.P.M.P. reads thus:

“For the reasons stated in the accompanying affidavit filed in support of writ petition, the petitioner herein, prays that this Hon'ble Court may be pleased to direct the respondents herein, to allow the petitioner herein, to distribute the Essential Commodities to the respective card holders under public distribution system, by suspending the operation of the order passed by the Revenue Divisional Officer, Palakonda, the 2nd respondent herein, vide Rc. No. 808/2010/CS, dated 12.8.2010, pending disposal of the above writ petition and pass such other order or orders as this Hon'ble Court may deem fit and proper.”

None of the counsel appearing for the parties are in a position

to state whether the enquiry is complete or not.

That being so and having considered the interim order passed by this Court and the nature of the prayer made in the writ petition, I am satisfied that this writ petition can be conveniently disposed of by the following order:

“It is open to the respondents to proceed with the enquiry against the petitioner, in accordance with law, if not, decided already. The order disposing of this writ petition in terms of the interim order shall be subject to the outcome of the enquiry. In other words, if the outcome of the enquiry is against the petitioner, the interim order dated 23.8.2010 shall not operate in favour of the petitioner.”

With these observations, the writ petition is disposed of.

Consequently, pending miscellaneous applications shall also stand closed. No costs.

DILIP B. BHOSALE, ACJ

7th August, 2015

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