

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.15364 of 2015

ORDER:

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

2. The petitioner was appointed as a fair price shop dealer of shop No.18, Budawada Village, J.Panguluru Mandal, Prakasam District. While so, on 08.05.2015, the Food Inspector, Addanki, inspected the shop of the petitioner and verified the stocks and registers. Even though the Food Inspector did not find any variation, seized the entire stock alleging that there was shortage of 150 kgs., or rice and 95 liters of kerosene oil under a panchanama dated 08.05.2015. The petitioner submitted a representation to the second respondent on 12.05.2015 seeking re-verification of the stock available in the shop. When no action was taken on the said representation, the present Writ Petition is filed.

3. The learned Government Pleader, on the basis of written instructions dated 16.06.2015 from the Tahsildar, J.Pangulur, submits that there is no left over item/quantity on the spot of panchanama on the same day and the essential commodities covered in panchanama were handed over to the adjacent fair price shop dealer for safe custody until orders are received from the Joint Collector, Ongole. Subsequently, pursuant to the orders dated 15.05.2015, the stock was distributed for the month of May, 2015 and the sale proceeds were remitted in revenue deposit on 11.06.2015. It is reiterated that there is no left over stock/essential commodities in the seized shop. However, the learned counsel for the petitioner submitted that there is some left over stock in the ship and if that stock is also quantified, the petitioner would have a better case.

4. In the circumstances, this Writ Petition is disposed of directing the second respondent to consider the representation of the petitioner dated 12.05.2015

and pass appropriate orders thereon within a period of 15 days from the date of receipt of a copy of this order. No order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 19.06.2015

TJMR