

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.26736 of 2015

ORDER:

The petitioner was appointed as permanent Fair Price Shop dealer of Shop No.23, Valaparla Village, Martur Mandal, Prakasam District, on permanent basis. The authorisation of the petitioner was valid upto 31.03.2013 initially and he submitted an application for renewal thereafter. He distributed the stock for the month of April 2015. On 21.04.2015, the fourth respondent inspected the shop of petitioner and obtained his signatures forcefully as if he has tendered resignation, and submitted a report to the third respondent. The third respondent, based on the report of the fourth respondent, passed an order on 03.05.2015 accepting the resignation and directing the fourth respondent to make alternative arrangements. The present writ petition was filed in August 2015 i.e., after three months of the order passed by the third respondent. However, challenging the order passed by the third respondent the present writ petition was filed.

In view of the lapse of time and in view of the instructions received by the learned Government Pleader, the petitioner was asked to attend this Court in person, and the petitioner attended this Court today. The petitioner states that his signatures were obtained on blank papers by force and the letter of resignation was created. The fact whether the petitioner submitted his resignation voluntarily or not cannot be enquired into by this Court.

In the above circumstances, the petitioner is asked to be present before the second respondent-Joint Collector on 09.10.2015, on which date the second respondent shall verify the fact, in the presence of the petitioner, whether the resignation submitted by the petitioner was voluntarily or by force, and pass appropriate orders in that regard if the second respondent comes to conclusion that the

resignation was obtained by force. The orders passed by the third respondent would be subject to the orders passed by the second respondent.

Accordingly, this writ petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

21.09.2015

Note: The Registry is directed to despatch the copy of this order to the second respondent within one week from today.

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(B/O)

MVA

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Date: 21.09.2015

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