

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.17321 of 2015

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Civil Supplies. The Writ Petition is being disposed of at the stage of admission with the consent of parties.

The petitioners are fair price shop dealers of different Villages in Gudibanda Mandal, Anantapur District. The authorization of the petitioners expired on 31.03.2015. They submitted challans within time i.e. 23.02.2015 and, when the said challans were returned, they again submitted another application on 08.04.2015 before the fourth respondent, who issued notice dated 28.04.2015 for submission of renewal application, along with original authorization, with all evidence on or before 07.05.2015. As there was no reply from the petitioners, the fourth respondent reported the matter to the third respondent stating that the dealers were not having valid authorization and they filed false information before this Court seeking orders for supply of stock. Based on the same, the third respondent issued a show cause notice dated 02.06.2015 asking the petitioners to show cause why the dealership shall not be cancelled for not possessing valid authorization. The said show cause notice is challenged in the present Writ Petition.

The petitioners have not filed copies of authorization but filed letters of appointment. They have also filed copies of challans seeking renewal of authorization. The dispute centres around holding of valid authorization by the petitioners till 31.03.2015, in respect of which, they sought renewal. The case of the fourth respondent is that they misrepresented before this Court while seeking orders for supply of stock.

Learned counsel for the petitioners submitted that the petitioners deposited the originals of authorization before the fourth respondent.

This disputed question cannot be decided by this Court. In the circumstances, if the third respondent intends to verify whether the petitioners

are holding valid authorization or not, he can do so; and the petitioners are given seven days time to submit their authorization or if the petitioners have deposited with the fourth respondent, the fourth respondent shall submit a report to the third respondent with regard to authorization and, after enquiry, appropriate orders be passed by the third respondent.

Accordingly, the Writ Petition is disposed of giving liberty to the petitioners to submit explanation within a period of seven days from the date of receipt of a copy of this order.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:17.06.2015

Note:CC tomorrow

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