

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.31168 of 2011

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10.06.2015

Between:

M.Shoba Rani

...Petitioner

And

The Revenue Divisional Officer, Nirmal and another

...Respondents

Counsel for the petitioner: Mr.Kowturu Vinaya Kumar

Counsel for the respondents: Government Pleader
for Civil Supplies (TG)

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The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to set aside the proceedings No.C/4610/2011, dated 16.11.2011 of respondent No.1, whereby he has suspended the petitioner's fair price shop authorization pending enquiry.

This Court, by order, dated 25.11.2011, while admitting the writ petition, suspended the impugned order in W.P.M.P.No.38677 of 2011.

At the hearing, learned Assistant Government Pleader for Civil Supplies (TG) submitted that in view of the pendency of the writ petition, enquiry is not completed and final order has not been passed by respondent No.1.

Inasmuch as the impugned order was passed pending enquiry, it is not appropriate for this Court to adjudicate on its legality, more so, when the impugned order is under suspension for the last three and half years.

In the above view of the matter, respondent No.1 is directed to complete the enquiry and pass a final order within three months from the date of receipt of a copy of this order. Till a final order is passed, the petitioner shall be permitted to function as the fair price shop dealer of shop No.5/1 of Koratikal Village, Mamada Mandal, Adilabad District.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the writ petition, interim order, dated 25.11.2011, in W.P.M.P.No.38677 of 2011 is vacated and W.P.M.P.No.38677 of 2011 and W.V.M.P.No.19 of 2012 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

10th June, 2015

GHN