

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.12519 of 2015

ORDER:

Heard the learned counsel appearing for the petitioner and the Government Pleader for the Civil Supplies for the State of Andhra Pradesh.

2. This writ petition is filed seeking writ of *Mandamus* declaring the order of the Collector & District Magistrate, Prakasam, Ongole-2nd respondent in his proceedings dated 30.03.2015 in so far as the same is against the petitioner in not ordering continuance of the petitioner as F.P. shop dealer of Shop No.22 of Bandapalem of Kandukur Town & Mandal, Prakasam district, pending the disciplinary proceedings before the Sub-Collector, Kandukur-4th respondent herein, as illegal and arbitrary.

3. The learned single Judge of this court in WP No.39051 of 2014 granted interim order in favour of the petitioner to continue her as fair price shop dealer till the disposal of the representation of the petitioner by the 2nd respondent. Thereafter, the 2nd respondent disposed of the representation remanding the matter to the 4th respondent-Sub-Collector/Revenue Divisional Officer, Kandukuru, Prakasam District, for the purpose of conducting fresh enquiry.

4. In the opinion of this court, having remanded the matter, the Revisional Authority ought to have continued the petitioner as fair price shop dealer pending enquiry before the 4th respondent-Sub-Collector. Since the order passed by the learned Judge of this court was operating till the order passed by the Revisional Authority, the 4th respondent-Sub-Collector/Revenue Divisional Officer, Kandukuru, Prakasam District, is directed to continue the petitioner as fair price shop dealer, till the conclusion of the enquiry pending before him and passing final order.

5. The writ petition is accordingly disposed of. Miscellaneous applications, if any, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 27.04.2015

Note: Furnish CC in three days

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HON’BLE SRI JUSTICE R. KANTHA RAO

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Date: 27.04.2015

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