

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.15348 of 2015

ORDER:

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

2. The petitioner is a fair price shop dealer of shop No.14, Muppalla Village and Mandal, Guntur District. The authorization of the petitioner was in subsistence till 31.03.2015. The petitioner submitted a challan for renewal of his authorization within two days. While so, on 08.05.2015, the shop was inspected by the fourth respondent and other officers and they noticed some variation in the stock. When the stock was not released, the present Writ Petition is filed.

3. The learned Government Pleader received written instructions dated 04.06.2015 in the matter which does not reveal the issuance of any show cause notice to the petitioner even though it was stated that the dealer has committed some irregularities. The written instructions also state that 6-A case is pending against the dealer. But, the second respondent is aware that pendency of proceedings under Section 6-A of the Essential Commodities Act is different and the stock cannot be withheld on that ground so long as the authorization of the petitioner is valid. Even though in the written instructions it is stated that the period of authorization had expired, from the documents filed along with this Writ Petition, it is clear that the petitioner submitted the challan for renewal of his authorization within time.

4. In the circumstances, this Writ Petition is disposed of directing the second respondent to release stock to the petitioner so long as the authorization of the petitioner is in force. No order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 17.06.2015

TJMR