

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

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WRIT PETITION No.9692 of 2015

Between:

G.Venkanna

....Petitioner

and

The State of Andhra Pradesh,

Rep.by its Principal Secretary,

Consumer Affairs, Food and Civil Supplies Department,

Andhra Pradesh Secretariat, Hyderabad, and others.

....Respondents

DATE OF JUDGMENT PRONOUNCED: 05.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

1. Whether Reporters of Local newspapers Yes/No

may be allowed to see the Judgments?

2. Whether the copies of judgment may be Yes/No

Marked to Law Reporters/Journals?

3. Whether His Lordship wishes to Yes/No

see the fair copy of the Judgment?

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.9692 of 2015

ORDER:

Heard the learned Counsel for the petitioner and the learned Government Pleader for the respondents.

The petitioner was appointed as a Fair Price Shop dealer of Shop No.29 of B.Agraharam Village, Gonegandla Mandal in Kurnool District in the year 2010 and his authorization is valid up to 31.03.2016. The petitioner submitted Demand Draft in favour of the District Manager, Andhra Pradesh Civil Supplies Corporation Limited and got the stocks for the month of February, 2015. While so, when the petitioner was distributing the commodities, the Civil Supplies Deputy Tahsildar came and forcibly locked the shop and seized the stock. The petitioner was issued notice on 12.02.2015 by the third respondent alleging certain irregularities. The case of the petitioner is that even though there is no irregularity committed by him, his authorization is valid and in force up to 31.03.2016, the third and fourth respondents are not receiving the Demand Draft and issuing the release order for lifting the stock. Challenging the same, the present Writ Petition is filed.

It is needless to observe that if the authorization of the petitioner is valid and in force, the petitioner is entitled to the stock for onward distribution to the cardholders. The case of the petitioner is that even in the absence of any irregularity and when the authorization of the petitioner is in force, the stock is not being supplied.

In the circumstances, the Writ Petition is disposed of directing respondent Nos.3 and 4 to supply the essential commodities to the petitioner till the authorization of the petitioner is in subsistence. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

05.08.2015

vs

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