

THE HON'BLE SRI JUSTICE A.V. SESA SAI

Writ Petition No.2962 of 2015

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ORDER:

This writ petition is filed under Article 226 of the Constitution of India, seeking a *Writ of Mandamus* to declare the action of the 3rd respondent in dismissing the appeal filed by the petitioner, vide proceedings dated 26-12-2014, by confirming the orders passed by the 4th respondent dated 20-08-2014, cancelling the dealership of the petitioner as illegal, arbitrary and contrary to the provisions of the Essential Commodities Act, 1955, and to consequently direct the respondents herein to allow the petitioner to run the fair price shop No.13, situated at Katarupally Village, Gandlapenta Mandal, Anantapur District, and supply the essential commodities.

Heard Sri M. Hemalatha, learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

The petitioner herein was appointed as a fair price shop dealer in the year 2000. The Revenue Divisional Officer, Kadiri, the 4th respondent herein, vide proceedings dated 20-08-2014 cancelled the authorization of dealership of the petitioner on certain allegations. As against the said order, the petitioner herein filed appeal before the Joint Collector, Anantapur, the 3rd respondent herein. However, the petitioner approached this Court by filing W.P.No.33428 of 2014. This Court by way of an order dated 07-11-2014 dismissed the said writ petition, but however, directed the 3rd respondent to dispose of the appeal, after giving

opportunity to the petitioner, within a period of one month.

It is submitted that the 3rd respondent dismissed the appeal preferred by the petitioner through orders dated 26-12-2014, confirming the orders passed by the 4th respondent. As against the same, the petitioner filed a revision before the District Collector, Anantapur, the 2nd respondent herein and till today, no orders have been passed on the said revision. With this background, the present writ petition has been filed, questioning the orders passed by the 3rd respondent, confirming the orders passed by the 4th respondent.

Admittedly, the revision filed by the petitioner herein is pending consideration before the District Collector, the 2nd respondent and no orders have been passed on the said revision. It is requested by the learned counsel for the petitioner that necessary orders may be passed, directing the 2nd respondent to dispose of the said revision. It is also requested that pending consideration of the said revision, the respondents may be directed to supply the essential commodities to the petitioner.

On the contrary, it is submitted by the learned Government Pleader for Civil Supplies that alternative arrangements have already been made for the fair price shop in question. In the circumstances, this Court is not inclined to pass any interim orders, pending consideration of the revision by the District Collector.

For the foregoing reasons, the writ petition is disposed of, directing the District Collector, the 2nd respondent herein to pass appropriate orders on the revision said to have been filed by the petitioner herein, within a period of six weeks from the date of receipt of a copy of this order.

There shall be no order as to costs.

A.V. SESA SAI, J.

Dt.13-02-2015.

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