

**HON'BLE SRI JUSTICE R. KANTHA RAO**

**Writ Petition No.10557 of 2015**

**ORDER:**

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

2. This writ petition is filed seeking writ of *Mandamus* declaring the action of the 5<sup>th</sup> respondent in not allotting the essential commodities to the petitioner for distribution among the respective cardholders of Fair Price Shop No.6 of Muthrasapalli Village, Dattuluru Mandal, SPS Nellore District, as illegal and arbitrary and for a consequential direction to the 5<sup>th</sup> respondent to allot the essential commodities to the petitioner fair price shop.

3. On account of illness, the petitioner submitted an application on 22.09.2014 to the 5<sup>th</sup> respondent-Tahsildar, Dattuluru Mandal, SPS Nellore District, for sanction of medical leave for a period of two months and the same was granted. Subsequently, it was extended till 22.03.2015. After recovering from illness, the petitioner made an application to the 5<sup>th</sup> respondent on 22.03.2015 requesting to allot the essential commodities to his fair price shop, but the same was not accepted by the 5<sup>th</sup> respondent. On that, the petitioner submitted an application dated 26.03.2015 to the 3<sup>rd</sup> respondent-Joint Collector, SPS Nellore District to continue him as a dealer and issue essential commodities to his fair price shop but the same is pending. It is submitted by the learned counsel appearing for the petitioner that the authorisation of the fair price shop of the petitioner is valid up to 31.03.2016. Having regard to the facts and circumstances of the case, this Court is of the view that the petitioner is entitled to continue as dealer during the subsistence of the authorisation.

4. Under these circumstances, the 3<sup>rd</sup> respondent-Joint Collector, SPS Nellore District, is directed to dispose of the application dated 26.03.2015 submitted

by the petitioner and pass appropriate orders thereon, within a period of two (2) weeks from the date of receipt of a copy of this 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: 15.04.2015

Note: Furnish CC by 17.04.2015

(BO)

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**HON'BLE SRI JUSTICE R. KANTHA RAO**

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**URGENT**

**Writ Petition No.10557 of 2015**

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**Date: 15.04.2015**

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