

HON'BLE SRI JUSTICE R.KANTHA RAO

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Writ Petition No.1361 of 2015

ORDER:

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

2. The petitioner is a permanent Fair Price shop dealer for the shop at Ballipalli Village, Kanigiri Mandal, Prakasam District. His version is that the 4th respondent and his staff inspected the shop and verified the stocks available in the shop with reference to the registers. Having found no variations, on the pressure brought up by the political opponents in the village, the petitioner was forced to submit resignation for the dealership due to the threat that they would register criminal cases against him. Thus, he submits that under coercion and undue influence, he submitted resignation to the dealership. So far the resignation has not been accepted. After submitting the said resignation, the petitioner made a representation to the 2nd respondent setting forth the circumstances under which he was forced to submit resignation. The said representation is pending consideration. The petitioner, therefore, filed the present writ petition to declare the action of respondents 2 and 3 in not releasing the essential commodities to the F P Shop of the petitioner on the pretext that he submitted resignation and to issue a positive direction to release the essential commodities to the shop of the petitioner.

3. Learned Government Pleader for Civil Supplies submitted to this Court the instructions obtained from the Department, which show that the petitioner voluntarily submitted his resignation on the ground of ill-health and he made a request to make alternative arrangements.

4. Upon considering the submissions made on either side and also taking into account the fact that the resignation has not been so

far accepted, the writ petition is allowed directing respondents 2 and 3 to release the essential commodities to the petitioner's FP shop. No order as to costs. The miscellaneous petitions pending, if any, shall stand closed in consequence.

R.KANTHA RAO, J

Date: 11.02.2015

Note:

Furnish CC by 13.02.2015

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URGENT

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