

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

W.P.No.26563 OF 2015

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Dated:21.08.2015

Between:

P.Shyamala, W/o.P.Ramakrishna Reddy

...Petitioner

And

The State of Andhra Pradesh,
Rep.by its Principal Secretary,
Consumer affairs, Food and Civil Supplies Department,
Secretariat, Hyderabad
and three others

... Respondents

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ORDER:

Petitioner was appointed as a fair price shop dealer of Nakkalapalli village, Hindupur Mandal, Anantapur District. The shop was inspected on 25.02.2015 and no action was taken. When the stock was not released after inspection, the petitioner filed writ petition No.7413 of 2015 and thereafter stock was released in favour of the petitioner. When an order of cancellation was passed thereafter on 20.04.2015 and the same was communicated on 12.05.2015, the petitioner filed writ petition No.14812 of 2015 and this Court passed an order on 16.06.2015 setting aside the order of cancellation, but directing the appointing authority to conduct an enquiry. Accordingly, an opportunity was given to the petitioner, who engaged a counsel. The counsel submitted explanation on 27.07.2015 and based on the same an order of cancellation is passed now on 28.07.2015. Challenging the same, the present writ petition is filed.

Learned counsel for the petitioner submitted that the explanation was filed on 27.07.2015 and the present impugned order was passed on 28.07.2015 within one day without conducting enquiry.

I have carefully considered the explanation submitted by the petitioner and the said explanation was considered in the impugned cancellation order. This Court is not inclined to go into the merits of the case as an alternative remedy of appeal is available to the petitioner.

In the circumstances, this writ petition is dismissed giving liberty to the petitioner to avail alternative remedy of appeal. No costs. Miscellaneous Petitions pending, if any, shall stand closed.

A.RAMALINGESWARA RAO,J

21.08.2015
Rns