

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.12102 of 2015

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the respondents in removing the petitioner's dealership without following the procedure specified in the Control Order and not giving the opportunity to the petitioner, as illegal and arbitrary and consequently direct the respondents to continue the petitioner as fair price shop dealer for shop No.15 of Tellapadu Village, Kaligiri Mandal, S.P.S.R.Nellore District.

The brief facts of the case are as follows. That on 14.04.2015, the fourth respondent visited the shop of the petitioner herein, found some irregularities and prepared Panchanama, and subsequently, the respondents have stopped supplying the essential commodities to the petitioner.

Heard and perused the records.

Learned counsel for the petitioner submits that the variations as shown in the panchanama are within the permissible limits and as such, the action of the respondents in not supplying the essential commodities to the petitioner for supplying the same to the cardholders is illegal and as such, prays this Court to direct the respondents to continue the petitioner as fair price shop dealer.

On hearing the learned counsel on both sides, this Court is of the view that without taking any further action on the basis of the Panchanama, the respondents should not have stopped supply of the essential commodities to the petitioner.

In view of the above, the writ petition is disposed of with a direction to the respondents to supply the essential commodities to the petitioner till appropriate orders are passed by the respondents on the basis of the Panchanama in accordance with law. The respondents are further directed to pass appropriate orders within a period of three

months from the date of receipt of copy of this order.

The writ petition is accordingly disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

23.04.2015
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