

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 21005 of 2016

DATED 14TH JULY, 2016

BETWEEN

T.Ravindranatha Reddy

....Petitioner

And

The State of Andhra Pradesh,
Rep. by its Secretary,
Consumer Affairs, Food and Civil Supplies (CS.I)
Department, Secretariat, Hyderabad and ors.

..Respondents.

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 21005 of 2016

ORDER:

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This Writ Petition is filed complaining non supply of essential commodities to the petitioner's Fair Price Shop No. 24 of Ramanaiahgaripalli Village, Pakala Mandal, Chittoor District.

It is the case of petitioner that in the month of November, 2015, he was forced to apply leave for three months by the third respondent-Tahsildar. Accordingly he has no other alternative to apply leave for three months. Thereafter the petitioner approached the respondent authorities seeking supply

of essential commodities for distribution. Despite the said request, the respondents have not taken any action. Further the petitioner submits that the Joint Collector-fourth respondent made an order on 18.4.2016 in the 6-A proceedings for the sale of seized stocks. As can be seen from the said order dated 18.4.2016, the third respondent-Tahsildar submitted a report dated 2.12.2015 to the Collector in the month of March, 2016. Based on the same, it is submitted that the late submission of report is a positive proof supporting the allegation of the petitioner that the third respondent-Tahsildar had taken letter from him (the petitioner) by force.

On the other hand, the learned Government Pleader on instructions submits that the petitioner had applied leave in the month of November, 2015 for three months and he did not approach the respondent authorities after expiry of leave and that there is no truth in the allegation of the petitioner that the third respondent-Tahsildar had taken letter by force.

I have given my anxious consideration to the contentions advanced by the learned Counsel on either side. However, in the absence of any material before this Court and denial of the third respondent with regard to taking of letter from the petitioner by force, it is not possible for this Court to give a finding on the said aspect. It is an admitted fact that the petitioner had applied for leave in the month of November, 2015. However, there is no material placed before this Court that after expiry of leave, the petitioner had approached the respondent authorities reporting back to duty. In those circumstances, the Writ Petition is disposed of giving liberty to

the petitioner to approach the second respondent in writing seeking to report back to the Fair Price Shop, which shall be considered by the second respondent in accordance with law.

Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE CHALLA KODANDA RAM

DATED 14th JULY, 2016.

Msnr_x