

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.34022 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the action of the second respondent in issuing the order dated 13.01.2016, cancelling the authorization of the petitioner in respect of Fair Price Shop No.38 of Karumuru Village, Repalle Mandal, Guntur District, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Civil Supplies representing the respondents.

3. A perusal of the record reveals that the petitioner was appointed as Fair Price Shop Dealer in respect of Shop No. 38 of Karumuru Village, Repalle Mandal, Guntur District in the year 1983. The authorization of the petitioner was extended from time to time. It is the case of the petitioner that he has been distributing the essential commodities to the satisfaction of one and all including the card holders. While so, on 15.07.2015 the Vigilance and Enforcement Officials visited the shop of the petitioner and found some variation in the stock. Basing on the report submitted by the Vigilance Officials, the second respondent issued a notice calling for the explanation of the petitioner. On 17.08.2015 the petitioner submitted his explanation to the second respondent. Being not satisfied with the explanation of the petitioner, the second respondent suspended the authorization of the petitioner on 18.08.2015. The second respondent passed the final order on 13.01.2016 by cancelling the authorization of the petitioner.

Feeling aggrieved by the orders of the second respondent, the petitioner filed an appeal before the first respondent. For one reason or other, the first respondent has not disposed of the appeal of the petitioner.

4. At the time of arguments, the only relief sought for by the learned counsel for the petitioner is to direct the first respondent to dispose of the appeal of the petitioner as expeditiously as possible. The learned Assistant Government Pleader also consented for the same.

5. In view of the submissions made by the learned counsel for both parties, this Court is not inclined to go into the merits of the main case.

6. Having regard to the facts and circumstances of the case and also the submissions made by the learned counsel for both parties, the first respondent is hereby directed to dispose of the appeal filed by the petitioner challenging the orders of the second respondent dated 13.01.2016, as expeditiously as possible, preferably within a period of two (2) months from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

8. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 30.09.2016

Note: Issue CC by Tuesday
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