

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.41775 OF 2016

ORDER:

Heard Mr.N.Aswartha Narayana for petitioner and Assistant Government Pleader (Civil Supplies) for respondents.

The petitioner filed the instant writ petition for the following relief:

“.....to issue a writ of Mandamus or any other appropriate writ order or direction declaring the orders vide D.Dis.No.1005/2015, Dt.10.09.2016 passed by the 3rd respondent in cancelling the petitioners F.P. shop authorization without conducting any enquiry and without affording any opportunity is illegal, arbitrary and set aside the same and consequently direct the respondents to continue the petitioner as Shop No.15 Seegalapalli Village, Kundurpi Mandal, Anantapur District by releasing the stock continuously and to pass such other order or orders as this Hon'ble Court may deem fit just and proper in the circumstances of the case”.

The grievance of the petitioner is that the 3rd respondent, without conducting enquiry or affording opportunity to petitioner, passed the order impugned cancelling the authorization of petitioner's fair price shop.

Be that as it may, I am not proposing to examine the merits canvassed by the petitioner in the writ petition. The petitioner can prefer appeal against the order impugned cancelling authorization of petitioner's fair price shop before the Joint Collector/ 2nd respondent. The petitioner has not availed the remedy of appeal against such cancellation.

The writ petition is, accordingly, dismissed by granting liberty to petitioner to file appeal before the Joint Collector/ 2nd respondent within two weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any pending, also stand disposed of.

Date: 01.12.2016

Lrkm

S.V.BHATT,J

