

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.26618 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the inaction of the second respondent in not passing any orders on the stay petition filed along with the appeal dated 27.07.2016 as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Civil Supplies (Andhra Pradesh).

3. A perusal of the record reveals that the petitioner was appointed as Fair Price Shop dealer for Shop No.6 of Birudulanarava Village, Markapuram Mandal, Prakasam District, about 12 years back. The third respondent issued a show cause notice dated 01.02.2016 to the petitioner alleging that he contravened the provisions of Andhra Pradesh Public Distribution Control Order 2008 and provisions of the Essential Commodities Act. The petitioner submitted his explanation on 10.02.2016. Being not satisfied with the explanation submitted by the petitioner, the third respondent cancelled the authorization of the petitioner in respect of Fair Price Shop No.6 on 12.07.2016. Feeling aggrieved by the orders of the third respondent, the petitioner filed an appeal before the second respondent.

4. At the time of arguments, the only relief sought by the petitioner is to direct the second respondent to dispose of the appeal filed by the petitioner. Learned Assistant Government Pleader also consented for the same.

5. Having regard to the facts and circumstances of the case and also the submissions made by both counsel, the second is hereby directed to dispose of the appeal filed by the petitioner challenging the proceedings No.RCC/110/2016 dated 12.07.2016 as early as possible, preferably, within a period of one month from the date of receipt of copy of this order. Failing which, the respondents 2 and 3 are hereby directed to restore the authorization of the petitioner in respect of Fair Price Shop No.6 of Birudulanarava village of Markapuram Mandal of Prakasam District.

6. Accordingly, this writ petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T.SUNIL CHOWDARY, J

August 9, 2016.

Rns