

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.3147 of 2016

ORDER :

Heard counsel for the petitioner and the Government Pleader for Civil Supplies appearing for the respondents.

2. This Writ Petition is filed challenging the order dt.11.01.2016 of the 2nd respondent canceling the petitioner's Fair Price Shop Dealership authorization on the ground that the petitioner was not distributing essential commodities and one A.Muniraj was running the Fair Price Shop and distributing the essential commodities.

3. Counsel for the petitioner contends that since the petitioner was suffering from ill-health, she had taken the help of the above gentleman who is her husband's brother's son and that it cannot be said that the said person was a benami of the petitioner. It is also contended that the petitioner did not receive any notice of enquiry fixing the enquiry date on 18.12.2015 and that the signature of the petitioner thereon is a forged one.

4. Having regard to the pleas raised by the petitioner, I am of the opinion that the petitioner ought to have availed the remedy of appeal to the appellate authority under the provisions of A.P. State Public Distribution System (Control) Order (for short 'Control Order'). Therefore, I do not wish to entertain this writ petition.

5. The Writ Petition is accordingly dismissed granting liberty to the petitioner to avail the remedy of appeal before the Joint Collector, Chittoor under Clause 20(2) of the Control Order. There shall be no order as to costs.

6. Consequently, miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

M.S.RAMACHANDRA RAO, J

04th February, 2016.

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