

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.32187 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 disposing of the appeal filed by the petitioner as illegal and arbitrary.

2. Heard Sri I.Koti Reddy, learned counsel for the petitioner, learned Assistant Government Pleader for Civil Supplies and learned Government Pleader for Revenue.

3. The petitioner was appointed as fair price shop dealer in respect of shop No.29, Dhammalapadu Village, Muppalla Mandal, Guntur District in the year 2008. It is the case of the petitioner that she has been distributing the essential commodities to the card holders without any complaint whatsoever. While so, the fourth respondent along with Vigilance officials inspected the shop of the petitioner on 11.6.2015 and found variation in the stock. On 01.7.2015, the third respondent issued show cause notice calling for the explanation of the petitioner. The petitioner submitted detailed explanation on 07.7.2015. After affording reasonable opportunity to the petitioner, the third respondent passed the order dated 18.7.2016 cancelling the authorization of the petitioner in respect of shop No.29, Dhammalapadu Village. Feeling aggrieved by the orders of the third respondent, the petitioner preferred appeal before the second respondent on 04.8.2016. The grievance of the petitioner is that the second respondent is not disposed of the appeal.

4. At the time of the arguments, the only relief sought by the learned counsel for the petitioner is to direct the second respondent to dispose of the appeal. The learned Assistant Government Pleader also consented for the disposal of the appeal. In view of the submissions made by the learned counsel for both the parties, this court is not inclined to go into the merits of the case.

5. Having regard to the facts and circumstances of the case and also the submissions made by learned counsel for both the parties, the second respondent is hereby directed to dispose of the appeal filed by the petitioner challenging the proceedings of the third respondent in Rc.No.5995/2015-L, dated 18.7.2016, as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

T.SUNIL CHOWDARY, J

September 22, 2016.
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