

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 6984 of 2016

ORDER:-

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner questioning the action of respondent No.3 in not renewing his authorization of Fair Price Shop No.3 of Chilkur Village, Moinabad Mandal, Ranga Reddy District, and supplying the essential commodities to his fair price shop.

Briefly, the case of the petitioner is that he was appointed as Dealer of Fair Price Shop No.3 of Chilkur Village, Moinabad Mandal, Ranga Reddy District, and his authorization has been renewed from time to time and it is valid up to 31.03.2013. As he was under the impression that the authorization is valid up to 31.03.2014, he paid an amount of Rs.250/- vide challan No.8877 dated 28.03.2014 towards fee for renewal of his authorization and submitted the same to the 3rd respondent. He also filed an application on 10.09.2015 before the 3rd respondent seeking renewal of the authorization. However, alleging that the petitioner has been running the fair price shop without getting renewal of his authorization, the 3rd respondent issued a show cause notice dated 14.09.2015 calling upon him to submit explanation as to why his authorization should not be cancelled. For which, the petitioner submitted an explanation on 01.10.2015 and sought to renew his authorization and supply the essential

commodities to his fair price shop, but no orders are passed thereon so far. Questioning the same, he filed the present writ petition.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue appearing for the respondents.

As a matter of fact, the petitioner was supplied with the essential commodities and allowed to distribute the same to the cardholders till September, 2015. It is only in September, 2015, the 3rd respondent issued a show cause notice alleging that the petitioner has been running the fair price shop without authorization and thus stopped supplying the essential commodities to his fair price shop. It is also the fact that the petitioner paid an amount of Rs.250/- vide challan No.8877 dated 28.03.2014 towards fee for renewal of his authorization and submitted the same to the 3rd respondent, under impression that his authorization was valid up to 31.03.2014.

In view of the above and considering the submissions of the learned counsel for the petitioner, interest of justice would be served if the writ petition is disposed of with a direction to the 3rd respondent to pass appropriate orders on the representation of the petitioner.

Accordingly, the Writ Petition is disposed of directing the 3rd respondent to pass appropriate orders on the

representation of the petitioner dated 01.10.2015 within a period of four (4) 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 shall stand dismissed.

CHALLA KODANDA RAM,

J

3rd March, 2016
cbs

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