

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.8414 OF 2016

ORDER:

The writ petition is filed questioning the action of the 2nd respondent-R.D.O in not allocating the essential commodities for distribution notwithstanding the fact that the authorisation granted in favour of the petitioner is subsisting merely on the ground that a show cause notice dated 10.03.2016 has been issued.

The learned counsel for the petitioner placed reliance on the Full Bench judgment of this Court reported in **Oleti Tirupathamma v. District Supply Officer (City), Visakhapatnam and others**^[1].

In the light of the law declared by this Court in the above said judgment as long as the authorisation granted in favour of the petitioner is neither suspended nor cancelled, petitioner is entitled to distribute the essential commodities.

In that view of the matter, the writ petition is disposed of directing the respondents-authorities to allocate/issue the essential commodities to the petitioner, so as to enable him to distribute the same to the card holders. However, it is made clear that the order of allocation of essential commodities to the petitioner shall not be construed as restraining the respondents-authorities from conducting the enquiry in terms of the notice issued for the alleged violations, if any.

Accordingly, the writ petition is disposed of. No order as to costs.

Consequently, Miscellaneous Petitions pending, if any, in this writ petition shall stand closed.

CHALLA KODANDA RAM,J

Date:18.03.2016.

Gk

Gk

^[1] 2002(1) ALD 577 (FB)