

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.5895 of 2016

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Between:

E. Chandramohan

PETITIONER

AND

1. The State of Telangana, rep. by its Commissioner of Civil Supplies Department, and Ex-Officio Secretary, 3rd Floor, Civil Supplies Bhavan, Somajiguda, Hyderabad, and others.

RESPONDENTS

ORDER:

The case of the petitioner is that the petitioner was appointed as fair price shop dealer of Shop No.13 of Nagaram Village, Keesara Mandal, Ranga Reddy District as long back as 13 years, and his authorization has been renewed from time to time. The petitioner was also given incharge of Shop NO.14 at Dammaiguda Village, Keesara Mandal, Ranga Reddy district. While so, on 21.01.2016 the Assistant Supply Officer, Ranga Reddy District, along with Mandal Revenue Inspector of Keesar Mandal have inspected the petitioner's fair price shop, found some variations in the stocks and accordingly submitted a report to the 3rd and 4th respondents, who in turn stopped supply of essential commodities to the shop of the petitioner and not permitted to distribute the commodities to the card holders. Questioning the same, the petitioner filed W.P.No.2132 of 2016 before this Court and obtained interim direction on 28.01.2016 directing the respondent to supply the essential commodities to the petitioner. In the meantime, the 3rd respondent issued show cause notice to the petitioner to which the petitioner submitted written explanation on 04.02.2016. The 3rd respondent without conducting any enquiry and without giving an opportunity to the petitioner cancelled the authorization of the petitioner vide order dated 8.02.2016. Aggrieved by the same, the petitioner preferred an appeal before the 2nd respondent on 17.02.2016 along with an application for suspension of the impugned order. As no orders are passed either in the stay application or in the appeal, the petitioner filed the present writ petition.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

Having considered the submissions and in view of the fact that as against the cancellation of authorization the petitioner had already invoked the appellate jurisdiction and filed an appeal along with stay petition, this Court is not inclined to entertain the writ petition. However there shall be a direction to the 2nd respondent to pass orders either in the appeal or in the stay petition filed by the petitioner on 17.02.2016. Till the disposal of either the stay application or the appeal, there shall be stay of all further proceedings in pursuance of the impugned order passed by the 3rd respondent-Revenue Divisional Officer, dated 8.02.2016.

With the above direction, the writ petition is disposed of. As a sequel, pending miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J.

23rd March, 2016
Js.