

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.24429 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the order of the Revenue Divisional Officer, Srikakulam (the third respondent herein) passed in Rc.No.234/2016 CS, dated 04.07.2016, in suspending the authorization of the petitioner F.P. Shop No.3 of K.Syrigam Village, Gara Mandal, Srikakulam District as illegal, arbitrary, violative of Articles 14 and 19(1)(g) of the Constitution of India and also violative of principles of natural justice and contrary to the provisions of the A.P.Public Distribution System (Control) Order, 2008 and set aside the same.

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

The contention of the learned counsel for the petitioner is that the petitioner has not committed any irregularity. The contention of learned Assistant Government Pleader is that the petitioner is diverting public distribution stocks to open market for personal gain. A perusal of the record reveals that there is a variation in the stock. Whether the petitioner has indulged in any clandestine business or not has to be decided at the time of enquiry. If this Court expresses any opinion touching the merits of the main case, the same may cause prejudice to one of the parties to the proceedings. The only apprehension of the petitioner is that the respondents may not dispose of the proceedings within a reasonable time.

Learned Assistant Government Pleader for Civil Supplies submitted that the third respondent will dispose of Rc.No.234/2016 CS within a reasonable time.

Having regard to the submissions made by learned counsel for both parties, the third respondent is hereby directed to pass final orders in Rc.No.234/2016 CS, as expeditiously as possible, preferably within a period of one (1) month. If the third respondent fails to pass appropriate orders within one month from the date of receipt of a copy of this order, the petitioner is at liberty to avail the remedies available to her under law.

Accordingly, the Writ Petition is disposed of. No costs.

Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 26.07.2016

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