

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.2314 of 2016

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Date: 28.01.2016

Between:

Mangali Vijay

.. Petitioner

and

The State of Andhra Pradesh
rep. by its Principal Secretary
Dept. of Information Technology & Communication
(Infrastructure) Hyderabad and 2 others

.. Respondents

Counsel for the petitioner : Mr.K.Sita Ram

**Counsel for respondent No.1: AGP for Information &
Technology**

Counsel for respondent Nos.2 & 3: AGP for Revenue

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The Court made the following:

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Order:

This Writ Petition is filed for a Mandamus to set aside the Proceeding, dated 23-12-2015, of respondent No.2, whereby he has seized the Mee-Seva Center located at Door No.7/58, near old Police Station, Yadiki Village, sanctioned in the name of the petitioner.

I have heard Mr.K.Sita Ram, learned Counsel for the petitioner, and perused the record.

A perusal of the impugned proceeding shows that based on a news item published in a local newspaper to the effect that fake ration cards were being generated at the petitioner's Mee-Seva Centre, respondent No.3 has inspected the said center and submitted his report to respondent No.2 wherein it is stated that one Padmala Guru Prasad, who was running the Mee-Seva Center in the absence of the petitioner, admitted that he has generated three ration cards with the data of new ration card applications in the website and issued the same to three persons named therein by collecting an amount of Rs.100/- each from them. Based on the said report, respondent No.2 has seized the petitioner's Mee-Seva Center.

The learned Counsel for the petitioner submitted that under Sub-Rule (c) of Rule 8 of the Andhra Pradesh Information Technology (Electronic Service Delivery) Rules, 2011, the Director may suspend the authorization pending enquiry by him and that if the suspension of authorization is for a period exceeding 10 days, a notice has to be given to the authorized service provider.

The allegation, on the basis of which the petitioner's Mee-Seva Center is seized, is grave in nature and if the same is proved, the authorization of the petitioner is liable for cancellation. Having regard to the same, respondent No.2 has seized the Mee-Seva Center without suspending the petitioner's authorization.

In these facts and circumstances of the case, I am not inclined to interfere with the impugned proceeding of respondent No.2. However, respondent No.2 is directed to hold a detailed enquiry after notice to the petitioner and take a final decision within one month from the date of receipt of this order.

Subject to the above direction, the Writ
Petition is disposed of.

As a sequel to disposal of the Writ Petition,
WPMP.No.2931 of 2016, filed by the petitioner for
interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 28th January, 2016
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