

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.8799 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue a writ order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 2nd respondent non disposing the appeal RC. NO.K6/12/2016 filed by the petitioner aggrieved the cancellation orders passed by the 3rd respondent in D.Dis.DICS/1786/2015 dated; 30-7-2016 pertaining to F. P. shop of Yeddula Palli village, Pamidi Mandal, Ananatapuram District, wholly illegal, arbitrary, against the principles of natural justice and consequentially direct the respondents to set aside the above said proceedings by restoring F.P.Shop authorization in favour of the petitioner and pass such other order or orders as this Hon'ble court deem fit and proper in the circumstances of the case.”

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

3. The Revenue Divisional Officer, Anantapur – 3rd respondent herein, by way of an order, vide proceedings D.Dis.D1CS/1786/2015, dated 30.07.2016, cancelled the authorization of the petitioner herein. As against the said order of cancellation, petitioner herein filed an appeal before

the Joint Collector, Anantapur – 2nd respondent herein, on 16.08.2016. Along with the said appeal, petitioner herein also filed an application praying for suspension of the order of cancellation passed by the Revenue Divisional Officer. The grievance of the petitioner in the present writ petition is non-disposal of the said appeal by the 2nd respondent though considerable time has elapsed.

4. Having heard the submissions of the learned counsel for the petitioner and learned Government Pleader, this Court is of the considered opinion that the ends of justice would be served, if the 2nd respondent herein is directed to pass appropriate orders on the appeal dated 16.08.2016 filed by the petitioner herein by fixing some timeframe.

5. For the aforesaid reasons, this writ petition is disposed of, directing the 2nd respondent – Joint Collector, Anantapur, to pass appropriate orders on the appeal dated 16.08.2016, preferred by the petitioner against the order of cancellation of the fair price shop authorization, passed by the Revenue Divisional Officer, vide proceedings D.Dis.D1CS/1786/2015, dated 30.07.2016, within a period of three months from the date of receipt of a copy of this order, after giving notice and opportunity of hearing to the petitioner herein, in accordance with law.

6. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

15.03.2017
SS

