

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.19992 OF 2017

ORDER:

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

“to issue order or direction more particularly in the nature of Writ of Mandamus declaring the action of the Respondent No.4 in passing orders dated 12-05-2017 vide D.Dis.194/ 2017/ 131 by conforming the order 29-03-2016 vide D.Dis.No.850/2015/B1 by cancelling authorization of F.P.Shop.No.28 of Bhupasamudram Village, Gummagatta Mandal, Anantapur District as illegal, arbitrary, violation of principles of natural Justice and violation of articles 14, 19(1)(g) and 21 of the Constitution of India and consequentially set aside the above said orders and direct the respondents to permit the Petitioner to run the FP Shop No.28 of Bhupasamudram Village, Gummagatta Mandal, Anantapur District by supplying essential commodities and pass such other order or orders as the Hon'ble Court may deems fit and proper in the interest of justice.”

2. Heard learned counsel for the petitioner and perused the prayer in the writ petition with supporting affidavit and the other material on record, including the impugned order of the Revenue Divisional Officer dated 12.05.2017, which is pursuant to the remand order of the Joint Collector, Civil

Supplies, in the appeal Rc.No.K6/252/2016, dated 25.01.2017 and also heard the learned Government Pleader for Civil Supplies, representing the respondents.

3. Even from own saying of the petitioner, there is an appeal remedy again against the impugned order of the Revenue Divisional Officer before the Collector (CS).

4. Having regard to the above, to avail the efficacious alternative remedy of appeal, this writ petition is disposed of, with a direction to the petitioner to file any appeal, within one week from the date of receipt of a copy of this order, for the Collector (CS) to entertain without insisting for period of limitation and in such event, the Collector (CS) shall pass appropriate orders in such appeal, within two months after its filing on merits. Further grievance of the petitioner is left open.

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

DR.B.SIVA SANKARA RAO,J

21.06.2017
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