

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.15979 OF 2009

ORDER:

Diversion of PDF rice and kerosene oil into the black-market by the petitioner resulted in initiation of proceedings against him under Section 6-A of the Essential Commodities Act. After a final order was passed on 31.05.2009, the seized stock was confiscated. Apprehending that he would not be supplied essential commodities for public distribution, the petitioner invoked the jurisdiction of this Court and, by order in WPMP No.20953 of 2009, this Court directed that essential commodities be continued to be supplied to the petitioner to enable him to supply the same to the card holders, as long as the petitioner continues to be the authorised fair price shop dealer of the said shop.

Learned Government Pleader for Civil Supplies expresses ignorance whether any action was taken against the petitioner, for cancellation of his licence, under the 2008 Control Order. Suffice it, therefore, to dispose of the Writ Petition directing the respondents to continue to supply essential commodities to the petitioner, to enable him to supply the same to the card holders, as long as his fair price shop licence is valid. It is made clear that this order shall not preclude the respondents from taking action against the petitioner, for cancellation of his fair price shop licence, in accordance with the 2008 Control Order.

The Writ Petition stands disposed of accordingly. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 24.08.2017.
MRKR

