

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

WRIT PETITION No.14133 OF 2017

ORDER:

This Writ Petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the 2nd respondent in not disposing of the stay petition filed by the petitioner along with Revision Petition against the cancellation of the petitioner's Fair Price Shop authorization of Shop No. 27 of Alarudinne Village, Devanakonda Mandal, Kurnool District, vide proceedings Rc.No. (M). 467/2016, dated 23.07.2016, as illegal, arbitrary and contrary to the provisions of Andhra Pradesh Public Distribution System (Control) Order, 2008 and consequently direct the 2nd respondent to dispose of the stay petition filed by the petitioner along with Revision Petition.”

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

3. By way of an order, dated 23.07.2016, the Revenue Divisional Officer, cancelled the authorization of the petitioner in respect of shop No.27 of Alarudinne Village, Devanakonda Mandal, Kurnool District. As against the same, the petitioner herein filed an Appeal before the Joint Collector and the said Appeal was also dismissed by the Joint Collector by way of an order, dated 28.02.2017, in Appeal Case No.CS.3/283/2016. Questioning the validity of the said orders, according to the petitioner, he filed a revision and also a stay petition before the District Collector-2nd respondent herein.

4. The grievance of the petitioner herein, in the present Writ Petition, is though he filed the said revision and also stay application on 03.04.2017, no orders have been passed so far on the stay application and because of the same, the petitioner is suffering irreparable loss and hardship.

5. Having heard the learned counsel for the petitioner and learned Government Pleader for the respondents, this Court is of the considered opinion that the ends of justice would be served if the 2nd respondent-District Collector is directed to pass appropriate orders on the stay application, dated 30.04.2017, filed along with the revision, against the orders of the Joint Collector, dated 28.02.2017, confirming the order of the Revenue Divisional Officer, dated 23.07.2016, within a period of one month from the date of receipt of a copy of this order. The 2nd respondent shall also make an endeavour to dispose of the Revision Petition filed by the petitioner herein.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

APRIL 20, 2017

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Date: 20.04.2017

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