

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.10058 OF 2017

ORDER:

This writ petition filed under Article 226 of the Constitution of India challenges the order of suspension of the authorization of the fair price shop of the petitioner issued by the Revenue Divisional Officer, Adoni *vide* proceedings Rc.M.4581/2016, dated 10.01.2017.

2. Heard Sri K.V.Raghuveer, learned counsel for the petitioner, and the learned Government Pleader for Civil Supplies (A.P.) appearing for the respondents.

3. Followed by a show cause notice *vide* Rc.M.4581/2016, dated 10.01.2017, and submission of explanation of the petitioner herein, the R.D.O., Adoni/respondent No.3 passed an order of suspension of the authorization of the fair price shop of the petitioner herein pending enquiry. Respondent No.3 initiated the said action on the basis of the petition filed by one Sri B.Govindu, S/o.Chinna Paridappa of Devanabanda Village of Pathikonda Mandal, Kurnool District saying that the Transfer Certificate produced by the petitioner for the purpose of securing appointment as a fair price shop dealer is a fake certificate.

4. At the time of hearing, an objection is raised by the learned Government Pleader as to the maintainability of the writ petition on the ground that as against the order under challenge, an appeal lies to the Joint Collector, Kurnool under Clause 20(2) of the A.P. State Public Distribution System Control Order, 2008.

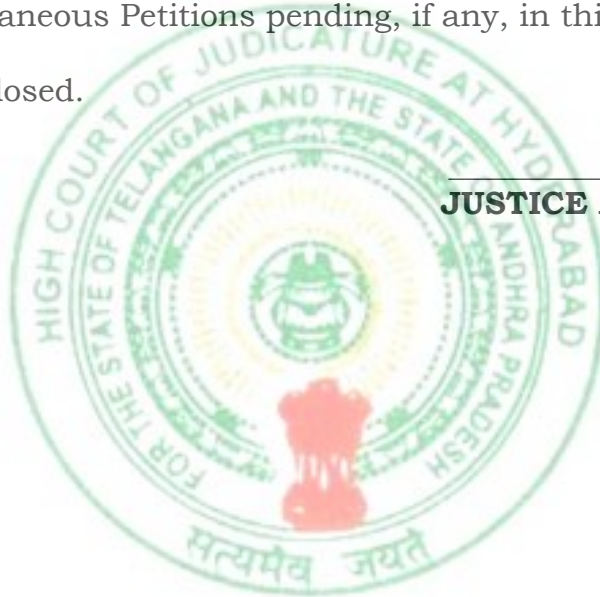
5. In view of the said availability of filing an appeal against the order of suspension, this Court is not inclined to entertain the present writ petition. However, it is open to the petitioner to file an appeal before the Joint Collector, Kurnool against the order of suspension, dated 10.01.2017, and it is also open to respondent No.3 to complete the enquiry initiated.

6. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this writ petition shall stand closed.

22.03.2017
AMD

JUSTICE A.V.SESHA SAI



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Date: 22.03.2017

AMD