

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.10089 OF 2017

ORDER:

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

“to issue a Writ, Order or Direction, more particularly, one in the nature of Writ of Mandamus, declaring the impugned proceedings of the 3rd respondent passed in Rc.M.3071/2016, dated 10-01-2017, suspending the authorization of the petitioner's Fair Price Shop No.3, Kammarachedu Village, Alur Mandal, Kurnool District, as illegal, arbitrary, without conducting enquiry and without giving any reasonable opportunity, and contrary to the directions of this Hon'ble Court, and set aside the same by directing the 3rd respondent to permit the petitioner to supply the essential commodities in Shop No.3, in Kammarachedu Village, Alur Mandal, Kurnool District.”

2. Heard Sri M.Ramalingeswara Reddy, learned counsel for the petitioner, and the learned Government Pleader for Civil Supplies appearing for the respondents.

3. The Revenue Divisional Officer, Adoni/respondent No.3, *vide* proceedings in Rc.M.3071/2016, dated 10.01.2017, passed an order suspending the authorization of the fair price shop of the petitioner herein pending enquiry. The said order is under challenge before the present writ petition.

4. It is also brought to the notice of this Court that the petitioner herein has already filed a statutory appeal under the provisions of the A.P. State Public Distribution System Control Order, 2008 before the Joint Collector, Kurnool on 01.02.2017.

5. It is submitted by the learned Government Pleader that the charges in the said case are serious in nature and it is open for the petitioner herein to pursue the appeal already filed before the Joint Collector, Kurnool on 01.02.2017.

6. Since the appeal is pending before the Joint Collector, Kurnool, this Writ Petition is disposed of, directing the Joint Collector, Kurnool/respondent No.2 herein to pass appropriate orders on the appeal filed by the petitioner herein on 01.02.2017 against the order of suspension, dated 10.01.2017, within a period of three (3) months from the date of receipt of a copy of this order. 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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WRIT PETITION No.10089 OF 2017

Date: 22.03.2017

AMD