

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.7435 of 2017

ORDER:

The prayer in the writ petition reads as follows:

“To issue a writ, order or direction, more particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent in not supplying the Essential Commodities to the writ petitioner FP Shop No.28 of Balla Village, Ramakuppam Mandal, Chittoor District even though the authorization is valid and in subsistence is illegal, arbitrary and against the violation of principles of natural justice and consequently direct the respondents 2 and 3 to supply the essential commodities to the writ petitioner FP Shop No.28 of Balla Village, Ramakuppam Mandal, Chittoor District and pass such other order or orders.”

Heard the learned counsel for the petitioner and also learned Government Pleader for Civil Supplies for respondents and perused the prayer in the writ petition with the supporting affidavit and other material on record.

It is the supporting affidavit averment that without even disciplinary proceedings pending much less any interim order by suspension, the respondents are not allowing the petitioner to draw and distribute the civil supplies. It is pursuant to which, the interim order passed by this Court on 28.06.2017 as follows:

“While posting the matter to 14.07.2017 in motion list for counter or written instructions of the learned Government Pleader for Civil Supplies, there shall be interim direction if the fair price shop dealership in subsistence, not to stop the supply of the essential commodities to the dealer for distribution in the meantime.”

Even it is the submission of the learned Government Pleader there are no any proceedings initiated by the RDO for any disciplinary action against the petitioner dealer in question.

Having regard to the above and in the result, the Writ Petition is disposed of by upholding the interim order. Needless to say, it will not interdict taking of any disciplinary proceedings, if required, by following due process of law.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

Date: 20.07.2017
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JUSTICE Dr. B.SIVA SANKARA RAO

