

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.18648 of 2017

ORDER :

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

“to issue any writ, order or direction more particularly one in the nature of writ of mandamus declaring the action on the part of the Collector (CS) Prakasam District at Ongole in not passing any orders in appeal/ stay petition filed by the petitioner in the appeal preferred against the orders of the Revenue Divisional Officer, Ongole, Prakasam District in D.Dis I/643/2015, dt.11-5-2017 as illegal, arbitrary, malafide opposed to the mandatory provisions of the Control Orders, 2008 and violative of principles of natural justice and set aside the same and consequently direct the respondents to permit the petitioner to distribute the essential commodities as earlier and to pass such other order or orders as this Hon’ble Court may deem fit and proper .”

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies (A.P.) appearing for respondents and perused the prayer and also the writ petition affidavit with enclosed material.

Undisputedly, the appeal along with interim stay application filed by the petitioner on 20.05.2017 is pending before the 2<sup>nd</sup> respondent-the Collector (CS), Prakasam District. The learned counsel for the petitioner contends by referring to several Single Judge expressions of this Court, where, in the factual scenario therein, pending the appeal, the writ petitions were disposed of by suspending the operation of the impugned orders therein.

In the present writ petition, this Court is not inclined to consider such a request, but for, to direct the 2<sup>nd</sup> respondent to dispose of the appeal within a period of four weeks from the date of receipt of copy of this order and the petitioner is also directed to appear before the 2<sup>nd</sup> respondent for hearing on 19.06.2017 and also continuously thereafter and in the event of appeal could not be disposed of within the aforesaid period, the 2<sup>nd</sup> respondent shall suspend the impugned order of the appeal passed by the 3<sup>rd</sup> respondent-Revenue Divisional Officer, till completion of enquiry.

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

Date: 12.06.2017

Note:

Issue C.C. in two days.

B/ o.

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Dr. B. SIVA SANKARA RAO J,



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DATE: 12.06.2017



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