

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

WRIT PETITION No.6698 OF 2017

ORDER:

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

“to issue a Writ order or direction, more particularly one in the nature of Writ of Mandamus, declaring the proceedings of the 4th respondent Rc.No.M/1132/2015, dated: 29.06.2015 served on 19.10.2015 cancelling the authorisation of the petitioner Fair Price Shop No.14 of Adoni Town, Kurnool District and confirming orders by the 3rd respondent in Appeal Case No.CS.3/43/2016, dated: 01.09.2016 without giving reasonable opportunity in enquiry and by considering the grounds raised in the appeal by the writ petitioner as illegal, arbitrary and against the violation of principles of natural justice and consequently set aside the proceedings of the 4th respondent Rc.No.M/1132/2015, dated: 29.06.2015 by directing the 3rd respondent to permit the petitioner to supply the commodities to the card holders of Shop No.14 of Adoni Town and Mandal, Kurnool District.”

2. Heard the learned counsel for the petitioner and learned Government Pleader for Civil Supplies for the respondents.
3. The Revenue Divisional Officer, Adoni – 4th respondent herein, vide proceedings Rc.M.1132/2015, dated 29.06.2015, passed an order, cancelling the fair price shop authorization

of the petitioner herein, on the ground of contravention of Control Order, 2008. Aggrieved by the said order of cancellation passed by the Revenue Divisional Officer, petitioner herein preferred appeal before the Joint Collector. The Joint Collector, Kurnool, dismissed the said appeal vide orders in Appeal Case No.CS.3/43/2016, dated 01.09.2016. Aggrieved by the said orders passed by the primary and appellate authorities, petitioner herein filed revision on 26.10.2016, before the Collector & District Magistrate – 2nd respondent herein.

4. Admittedly, the said appeal is pending consideration before the District Collector. Since the revision is pending consideration before the District Collector, this Court deems it appropriate to dispose of the present writ petition with a direction to the 2nd respondent to pass appropriate orders on the said revision filed by the petitioner, by fixing some timeframe.

5. For the aforesaid reasons, this writ petition is disposed of, directing the 2nd respondent – District Collector, Kurnool, to pass appropriate orders on the revision dated 26.10.2016 filed by the petitioner, against the orders of the Joint Collector dated 01.09.2016 and the Revenue Divisional Officer, dated 29.06.2015, in accordance with law, within a period of two months from the date of receipt of a copy of this order, after

giving notice and opportunity of hearing to the petitioner herein.

6. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

01.03.2017
SS

