

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.11080 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 passed by the Revenue Divisional Officer, Kadapa, Y.S.R. District *vide* proceedings Ref.No.C/154/2017, dated 22.02.2017.

2. Heard Sri S.Dushyanth Reddy, learned counsel for the petitioner, and the learned Government Pleader for Civil Supplies (A.P.) appearing for the respondents.

3. According to the learned counsel for the petitioner, the order of suspension passed by respondent No.2 is unwarranted in the facts and circumstances of the case and as the variations are very small, respondent No.2 grossly erred in suspending the authorization.

4. On the other hand, it is submitted by the learned Government Pleader that since the allegations against the petitioner are grave in nature, the impugned order is not amenable for judicial review under Article 226 of the Constitution of India and the petitioner herein is not entitled for any relief from this Court. He further submitted that the petitioner has an alternative remedy of appeal before the Joint Collector.

5. Having heard the learned counsel for the petitioner and the learned Government Pleader and having regard to the *prima facie* material available before this Court, this Court is not inclined to

meddle with the impugned order pending enquiry. However, it is open for the petitioner to prefer an appeal before the Joint Collector if he is advised to do so. The Joint Collector shall also make an endeavour to dispose of the appeal as expeditiously as possible.

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.

28.03.2017
AMD

JUSTICE A.V.SESHA SAI



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Date: 28.03.2017

AMD