

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.43528 of 2017

ORDER :

This writ petition is filed with the following prayer:

“ ...to issue a Writ, order or direction more particularly one in the nature of writ of *mandamus* declaring the action of the 3rd and 4th respondents in not allotting the essential commodities to the petitioner's Fair Price Shop No.12 of Tadepalli Village and Mandal, Guntur District without there being any suspension or cancellation of the authorization of the petitioner is illegal, arbitrary and violation of principles of natural justice and consequently direct the respondents 3 and 4 to allot the essential commodities to the petitioner's Fair Price Shop No.12 of Tadepalli Village and Mandal, Guntur District and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

The case of the petitioner is that she is having a valid and subsisting authorisation to run the Fair Price Shop. Proceedings under Section 6-A of the Essential Commodities Act, 1955 were initiated against the petitioner on 19.11.2017 and pursuant to the notice issued, the petitioner filed her explanation on 16.12.2017 denying the charges. It is her grievance that though her authorisation is not suspended, the respondents are not supplying the stocks to her shop for distribution to the card holders.

Heard both sides and perused the material on record.

In view of the facts and circumstances of the case, the respondents 3 and 4 are directed to supply the stock to the petitioner's Fair Price Shop as long as her authorisation is valid and

subsisting. However, this order will not preclude the respondents from taking action against the petitioner in accordance with law.

With the above direction, the writ petition is disposed of. No costs.

Consequently, Pending Miscellaneous Petitions shall stand closed.

A. RAJASHEKER REDDY, J

20th December, 2017
Tsr

