

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.4896 OF 2017

ORDER:-

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

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.3/the Revenue Divisional Officer, Gajwel Division, Siddipet District, (erstwhile Revenue Divisional Officer, Siddipet Division, Medak District), in issuing the Order in Proceedings No.B/2139/2016, dated 19.07.2016 cancelling/removing the Authorization of petitioner Fair Price Shop Dealer of Shop No.08 at Mamidyal Village, Mulugu Mandal, Siddipet Division, Medak District, as illegal, arbitrary and in violation of principles of Natural Justice and set-aside the same consequently direct the 3rd respondent to restore the Authorization of petitioner Fair Price Shop Dealer of Shop No.08 at Mamidyal Village, Mulugu Mandal, Siddipet Division, Medak District, by permitting me to continue petitioner fair price shop as it is.”

2. The grievance of the petitioner is that respondent No.3 passed the order, dated 19.07.2016, canceling the authorization of the petitioner's fair price shop. Challenging the same, the petitioner filed an appeal on 11.08.2016 to the Joint Collector (CS), Medak District at Sangareddy. Thereafter, on account of the bifurcation of the district, the petitioner once again approached the Joint Collector (CS), Siddipet District on 27.01.2017 with a request to complete the enquiry and pass necessary orders in the appeal. In spite of the same, orders have not been passed till date.

3. The writ petition came up for admission on 13.02.2017 and the matter was posted to 22.02.2017 on which date, it was directed to be posted after ten days to enable learned Government Pleader

for Civil Supplies (Telangana) to get instructions. Thereafter, on 08.03.2017, learned counsel for the petitioner requested time for two weeks and the same was also granted.

4. When the matter is listed today, learned Assistant Government Pleader for Civil Supplies seeks time to get instructions. This Court is not inclined to grant any further time to the respondent authorities particularly, considering the nature of relief, which the petitioner is seeking, as it is only a direction to respondent No.2 to do his duties by way of disposing the appeal filed by the petitioner on 11.08.2016. There may be some justification on the part of respondent No.2 in not disposing the appeal on the earlier occasion on account of bifurcation of the district. The petitioner has also addressed a letter, dated 27.01.2017, to respondent No.2 bringing to his notice about the pendency of the appeal. In those circumstances, respondent No.2 shall, without fail, pass appropriate orders on the appeal, dated 11.08.2016, filed by the petitioner within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE CHALLA KODANDA RAM

Date: 16.04.2018
AMD

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