

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.44745 OF 2018

DATED :19.12.2018

Between :

G. Vara Kumari W/o.Late Chengal Raju,
Aged about 51 yrs, Occu : Fair Price Shop
Dealer Shop No.37, Cherlopally Village,
Rajampet Mandal, YSR Kadapa District.

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Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Civil Supplies & Food Agriculture Department,
Secretariat, Hyderabad & others.

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Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner, learned Government Pleader for Civil Supplies for respondents 1 and 2 and learned Government Pleader for Revenue for respondents 3 to 5.

2. The fair price shop dealership authorization of the petitioner was cancelled by order dated 19.05.2016. Aggrieved thereby, petitioner preferred appeal. The Joint Collector, YSR Kadapa District, by his order dated 10.05.2018 confirmed the decision of Revenue Divisional Officer, dated 19.05.2016. Petitioner preferred Revision before the District Collector, and the said revision is pending. It appears, arguments were already advanced and now the matter is at the stage of passing orders. At this stage, this writ petition is filed, alleging delay in disposing of the revision and pending revision, not permitting the petitioner to draw the essential commodities.

3. Learned counsel for the petitioner pointed out that earlier petitioner filed W.P.No.21255 of 2016 against the order of Revenue Divisional Officer dated 19.05.2016. While disposing of the writ petition, this Court directed the appellate authority to consider the appeal and pass orders within a fixed time frame. This Court also directed the respondents to allow the petitioner to function as fair price shop dealer of the subject shop. According to learned counsel, in terms thereof, petitioner was undertaking the fair price shop dealership authorization till

orders are passed by the appellate authority and now petitioner is not allowed to draw essential commodities.

4. Having regard to the earlier orders of this Court in W.P.No.21255 of 2016 which was operating for more than two years, the respondents are directed to permit the petitioner to draw the essential commodities, when due, and allow him to function his fair price shop dealership, until the orders are passed by the Revisional authority. It is open to the Revisional authority to pass orders on the Revision pending before him and this direction shall operate till a decision is made by the Revisional authority. The Revisional authority shall pass orders, as expeditiously as possible, preferably within a period of three (3) weeks from the date of receipt of copy of this order.

5. With the above directions, the Writ Petition is disposed of. Pending miscellaneous petitions shall stand closed.

19th December, 2018
Rds

P.NAVEEN RAO,J