

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.45023 OF 2018

Date: 12.12.2018

Between:

A.Mohan Krishna, s/o. G.Duryodhana, Aged about 31 years,
Occu: Fair Price Shop Dealer of shop no.25, Machapuram
Village, Nandavaram mandal, Kurnool district.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its Prl.Secretary,
Consumer Affairs, Food & Civil Supplies Department,
Secretariat Buildings, Velagapudi, Guntur district and
others.

.....Respondents



The Court made the following:

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ORDER:

On the ground that petitioner was involved in Crime No.44 of 2016 of P.S. Nandavaram, the Fair Price Shop Dealership authorization of petitioner was suspended by the proceedings of the Revenue Divisional Officer, Adoni, dated 27.07.2018. Petitioner was tried before the Court of Special Judge for Trial of Cases under SCs & STs (PoA) Act – cum – VI Additional Sessions Judge, Kurnool in SC/ST C.C.No.17 of 2016. The trial Court, by judgment dated 07.03.2018, acquitted the petitioner of the offence leveled against him, which was caused for suspension of Fair Price Shop Dealership authorization of petitioner. Petitioner submitted representation on 11.09.2018 to restore his dealership and to return the seized rice and sugar. Alleging inaction on the said representation, this Writ Petition is filed.

2. A reading of the order dated 27.07.2016 itself would show that suspension was on account of registration of Crime No.44 of 2016. It is also stated that suspension would be reviewed subject to final orders in the crime registered against him. Since judgment rendered in C.C.No.17 of 2016, arising out of Crime No.44 of 2016, the competent authority ought to have reviewed the decision taken earlier.

3. Having regard to the same, the Joint Collector (Civil Supplies), Kurnool district, 2nd respondent herein, who is competent authority as per the provisions of new A.P. Public Distribution System (Control) Order, is directed to consider the

representation of petitioner dated 11.09.2018 duly taking note of the acquittal granted by the competent Court within a period of two weeks from the date of receipt of copy of this order. Writ Petition is accordingly disposed of. Pending miscellaneous petitions shall stand dismissed.

JUSTICE P.NAVEEN RAO

Date: 12.12.2018
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