

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 4649 of 2019

ORDER:

In this writ petition, petitioner seeks a direction to the respondents to cancel the authorisation of respondent No.5 as fair price shop dealer in respect of shop No.1624, Kothagattu Village, Shankarapatnam Mandal, Karimnagar District, as an FIR came to be registered against him under Sections 448, 504 and 506 I.P.C. read with Section 34 I.P.C.

A perusal of FIR discloses that respondent No.5 along with A2 alleged to have been criminally trespassed into the house of the complainant and abused the complainant in filthy language and also threatened with dire consequences in respect of ration shop issue. Merely because a complaint of such nature is registered, one cannot say at this stage that there is a disqualification on the part of respondent No.5. In recent times, criminal law is being set in motion on account of the petty disputes in order to settle scores. In the circumstances and there being no conviction against respondent No.5 as on date, it cannot be said that respondent No.5 has incurred any disqualification. When the registration of FIR against respondent No.5 does not with respect to his discharge of functions as a fair price shop dealer and the writ affidavit does not disclose any interest of the petitioner over the fair price shop of respondent No.5, it is not a fit case for interference by this Court under Article 226 of the Constitution of India.

The writ petition is accordingly dismissed.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:07.03.2019
kdl



