

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.27804 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“For the reasons stated in the accompanying affidavit it is prayed that this Hon’ble court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS by declaring the impugned orders passed by the 3rd respondent herein vide Lr.No.K/828/2019 dated 26-09-2019 canceling the authorization of the petitioner as a Fair Price Shop Dealer No.1905010, Junoni Village of Bela Mandal, Adilabad District as arbitrary, illegal, void abinitio besides violative of principles of natural justice and may be pleased to set-aside the same; and pass such other order or orders as this Hon’ble court may deem fit and proper in the circumstances of the case and in the interest of justice.”

2. Heard Sri J.Ashvini Kumar, learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies appearing for the respondents. Perused the material available on record.

3. The main grievance of the petitioner is that though the authorization of the petitioner as a Fair Price Shop Dealer, situated in Junoni Village of Bela Mandal, Adilabad District, is valid till 31.03.2021, the 3rd respondent has cancelled the same by way of passing the impugned order, dated 26.11.2019. Hence, the present writ petition is filed praying to set-aside the said impugned order passed by the 3rd respondent.

4. On perusal of the impugned order, it is evident that the said order passed by the 3rd respondent-Revenue Divisional Officer, Adilabad, is unilateral and the same is passed without giving any opportunity to the petitioner. Therefore, the impugned order is liable to be set aside.

5. Accordingly, the Writ Petition is allowed by setting aside the order, dated 26.11.2019, passed by the 3rd respondent. However, this order will not preclude the 3rd respondent in proceeding, in accordance with law. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

T. AMARNATH GOUD, J

Date: 16th December, 2019

KL