

THE HON'BLE SRI JUSTICE R.KANTHA RAO

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WRIT PETITION No.13497 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies for the State of Andhra Pradesh.

This writ petition is filed seeking a writ of *mandamus* declaring the proceedings dated 23.04.2015 of the 5th respondent as illegal and arbitrary.

Learned counsel appearing for the petitioner submits that the 5th respondent – Tahasildar, Guruzala Mandal, Guntur District, has issued the impugned proceedings allotting the dealership of the petitioner to another dealer on the ground that proceedings under Section 6-A of the Essential Commodities Act, 1955 (for short 'the Act') were pending against the petitioner. Merely because a case under Section 6-A of the Act is pending before the Joint Collector, the authorities ought not to have allotted the dealership of the petitioner to the other dealer.

Having regard to the facts and circumstances of the case, the writ petition is allowed setting aside the impugned proceedings of the 5th respondent dated 23.04.2015 and with further direction to the respondents to allot the essential commodities to the fair price shop of the petitioner. No order as to costs.

The miscellaneous petitions pending, if any, shall stand closed.

R.KANTHA RAO, J

Date: 30.04.2015

GJ