

Karnataka High Court

M Muthyalappa vs The Commissioner/Director For ... on 27 August, 2010

Author: Ajit J Gunjal

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IN THE HIGH COURT OF KARNATAKA AT BANGADORE  
DATED THIS THE 27TH DAY OF AUGUST \_  
BEFORE \_ ' ' L. A

THE HON'BLE MR.JUS'I\*ICI\$; AJIT \_

WRIT ?ETIT ION NO.2486:9\_

BETWEEN

M. MUTHYALAPPA  
AGED ABOUT 52 YEARS \_  
S/OCHIKKABORAIHA  
R/O MUDDENAHALLIAVILLAGIE " "  
MADHUGIRI  
TUMKUR f  
TUMKUR-; ' »

' 5 ' PETI'I'I()NER

(By AD\_-VII

AND

I. V. THE 'C'oIvIIIIIISSION1ÉR/DIRECTOR  
.. FOR FOOD. 5: CIVIL SUPPLIES  
" c.:UNNINGHAM"RoAD

'A r BANGALORE -- 560 052.

IIA\*I\*IIi:,,;v..DIa\$\_'PIjIY COMMISSIONER {FOOD}

TUMKIJR DISTRICT  
TUMKUR.

THASELDAR

\_ MADHUGIRI TALUK  
' TUMKUR DISTRECT  
TUMKUR.

RESPONDENTS

{BY SR1. NARENDRA PRASAD, I-ICGP] THIS WRIT PETITION Is FILED UNDER ARTICLE 226  
or THE CONSTITUTION OF INDIA PRAYING TOj\_ QUASH THE ORDER DATED 29.3.2003  
PASSED BY THE":F<2,"""IN'v,1-IIS ORDER NO.FSD/FPD/CR/42/01-02 AT ANNEX'UR13--=G;' \_  
THIS WRIT PETITION COMING ON I?OR'.fPRE\*:'I.II»IIN.:§R\*r, HEARING THIS DAY, THE

COURT IN THE FOLLOWING: " The petitioner granted: authorisation sometime in the year. 2000;"

2. Suffice it notice was issued by The show the petitioner had not lifted--the of four months. Second show issued on 11.10.2001. The authorization in favour of the petitioner was suspended and a stay order was passed on

o. canceling the authorization.

o. 3--.«: "The claim of the petitioner is that the petitioner suffering from sciatica, a medical certificate of which is made available at Annexure-E. Apparently, the authorization of the petitioner was suspended on 22.11.2001, which is almost close to nine years do \_ 3 \_ the line. I am of the View that re-opening the matter, which is almost concluded does not arise.

4. Mr. I-I.C.Shivaramu, learned counsel appearing for the petitioner submits that the petitioner faulted for the delay in disposal of the petition. :hej;n1atit.e'r--.h: ° ' V

5. I am of the view the ' L' be accepted inasmuch as the order by the Appellate Authority of the P13Se11t petition is later.

- 'alternate arrangement has already been made" the suspension of the authorization final order dated: 29.03.2003, it is » Vidtoo day for the petitioner to re--open the entire matter. 'When the matter is concluded. I am of the View that this is a stale claim which cannot be entertained.

No merit. Petition stands rejected. Mr. Narendra Prasad, learned High Court Government Pleader appearing for respondents permitted to file memo of appearance with within four weeks. ' SS\*