

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 10268 OF 2015

DATED 5TH JUNE, 2015

BETWEEN

P.Narasimham

...Petitioner

And

State of Andhra Pradesh,

Rep. by its Principal Secretary,

Civil Supplies Department, Secretariat,

Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 10268 of 2015

ORDER:

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Heard learned Counsel for the petitioner and learned Government Pleader for the respondents,.

The petitioner is a Fair Price Shop Dealer of Shop No.4 of Gundalasamudram, Marripudi Mandal, Kandukur Revenue Division of Prakasam District. The

authorization of the petitioner was subsisting till 31.03.2015. It appears that basing on the report of the Enforcement Deputy Tahsildar, Poldil, dated 23.01.2015, the third respondent issued a show cause notice on 13.02.2015 calling explanation of the petitioner with regard to three charges levelled against him. All the three charges framed against the petitioner are relating to variation in stock. The petitioner submitted his detailed explanation on 7.3.2015. However, the third respondent while passing the impugned order dated 31.03.2015, extracted the substance of the explanation, but did not give his finding to each charge and did not consider the explanation in proper manner.

In the circumstances, the impugned order passed by the third respondent dated 31.03.2015 is set aside and the Writ Petition is allowed by remanding the matter to the third respondent to consider the matter afresh in the light of the explanation submitted by the petitioner on 7.3.2015 and pass appropriate orders within thirty days from the date of receipt of a copy of this order by observing the principles of natural justice and binding decisions of this Court.

Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

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JUSTICE A.RAMALINGESWARA RAO

Dated 5th June, 2015.

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