

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.15073 of 2015

ORDER:

The petitioner was appointed as a temporary dealer of shop No.28, Palaparru Village, Pedanandipadu Mandal in Guntur District, by proceedings dated 09.12.2004. It appears that the Tahsildar, Pedanandipadu Mandal, submitted a report on 20.04.2015, based on which, an order was passed by the second respondent removing the petitioner from temporary dealership, by order dated 14.05.2015. Challenging the same, the present Writ Petition is filed.

A perusal of the impugned order indicates that in the subject it was mentioned as “suspend”, whereas in the body of the order it was stated as “removed from the dealership”. Though the second respondent is authorized to remove the temporary dealer for the irregularities, no show cause notice was issued nor was an enquiry conducted. Even though this case underwent several adjournments from 28.05.2015 onwards, no instructions were received by the learned Government Pleader. It appears that the temporary dealership is being continued for the last ten years without making permanent arrangements.

In the circumstances, the impugned order, dated 14.05.2015, passed by the second respondent removing the dealership of the petitioner is set aside, and the Writ Petition is allowed. However, this will not preclude the second respondent from taking proceedings against the petitioner in respect of the irregularities, if any, in accordance with law. The second respondent is also directed to take steps for filling up of vacancy, as expeditiously as possible. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

16.07.2015
vs