

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—
WRIT PETITION No.19446 of 2015

ORDER:

The petitioner is a regular fair price shop dealer of shop No.8 of R.C.Agraharam Village, Gudlur Mandal in Prakasam District. While so, the Enforcement Deputy Tahsildar, Kandukur, inspected her shop and submitted a report to the Revenue Divisional Officer on 17.03.2015. Based on the said report, the Revenue Divisional Officer issued a show cause notice on 18.05.2015 indicating that there is variation in the stock. The petitioner submitted her explanation to the said show cause notice on 23.05.2015. However, an order was passed on 25.05.2015 suspending the authorisation of the petitioner till completion of the enquiry. Challenging the said order, the present Writ Petition is filed.

This Court considered the charges mentioned in the show cause notice and the first charge relates to variation of 0.89 quintals of rice and the allegation in respect thereof is that the said variation occurred as the petitioner intended to transport the rice to black market. The second allegation relates to conduct of shop by one Sri Lakkiamraju Venkata Rama Raju instead of the petitioner. The said two allegations can be enquired even without suspending the authorisation of the petitioner. The second respondent himself thought it fit not to suspend the authorisation immediately after receipt of the report of the Deputy Tahsildar on 17.03.2015. Though the show cause notice was issued on 18.05.2015, in the impugned order it was mentioned as 22.04.2015.

However, in view of the nature of the allegations, this Court feels that the suspension of authorisation of the petitioner is unwarranted, and the impugned order is, accordingly, set aside. The second respondent is directed to complete the enquiry in respect of the allegations levelled against the petitioner, within a period of three months from the date of receipt of a copy of this order and pass a final order thereon.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

30.06.2015
vs