HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.6774 of 2015

ORDER:

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

2. This writ petition is filed seeking Writ of *Mandamus* declaring the action of the 2nd respondent in issuing proceedings No.C/3064/2014, dated 21.02.2015 cancelling the authorisation of the petitioner's fair price shop No.20, Ramannagudem Thanda Village, Peddavoora Mandal, Nalgonda District, without affording any opportunity, as illegal and arbitrary.

3. On receiving complaints against the petitioner, a Termination Notice dated 06.02.2015 was issued to the petitioner by the 2nd respondent-Revenue Divisional Officer, Miryalaguda, Nalgonda District, which includes that the petitioner produced fake certificate in relation to her educational qualification, for which the petitioner submitted explanation stating that at the time of her appointment, she filed the original study certificate, which is with the authorities and that she also produced Xerox copy of the study certificate before the authorities and thereafter, by order dated 21.02.2015, the 2nd Respondent cancelled the authorisation of the petitioner. The present writ petition is filed challenging the said order.

4. On instructions, learned Government Pleader for Civil Supplies (TG) submits that the Tahsildar, Peddavoora Mandal, personally visited the School on 18.02.2015, verified the Admission Register and found that the petitioner's name was not entered in the Admission Register. It is further submitted that the Head Master of the School also issued a letter stating that the petitioner has not studied in

their school as per the School records maintained and also stating that the record sheet was not issued by their school. Basing on the material gathered by the 3rd respondent-Tahsildar and also on his report, the 2nd respondent-Revenue Divisional Officer, held that the study certificate produced by the petitioner is fake and cancelled the authorisation.

5. Learned counsel appearing for the petitioner submits that the order is not sustainable in law since no enquiry was conducted before passing the impugned order. Obviously, the authorisation was cancelled basing on the report of the Tahsildar and the material collected by him during his inspection of the school.

6. In the facts and circumstances of the case, the impugned order is set aside and the 2nd respondent is, however, at liberty to conduct a fresh enquiry, after issuing notice to the petitioner and pass appropriate orders.

7. With the above said direction, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

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R. KANTHA RAO, J

Date: 17.03.2015
Note: Furnish CC in one week
(BO)
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HON'BLE SRI JUSTICE R. KANTHA RAO

URGENT

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Writ Petition No.6774 of 2015

Date: 17.03.2015

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