

IN THE HIGH COURT OF JUDICATURE: AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WRIT PETITION No.26033 of 2015

BETWEEN:

K. Hanumantha Reddy,
S/o. Anumappa.

.. Petitioner

AND

The State of Andhra Pradesh,
rep.by its Principal Secretary,
Department of Civil Supplies,
Secretariat, Hyderabad,
and 2 others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 18.08.2015.

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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| 1. Whether reports of Local newspapers
may be allowed to see the judgments? | YES/NO |
| 2. Whether the copies of judgments may be
marked to Law Reporters/Journals. | YES/NO |
| 3. Whether their Ladyship/Lordship wish to
see the fair copy of the Judgment ? | YES/NO |

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.26033 of 2015

ORDER:

 Heard the learned counsel for the petitioner and the learned
Government Pleader for Civil Supplies appearing for the respondents.

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The petitioner was appointed as fair price shop dealer of shop No.30 of Devireddypalli Village in Gummagatta Mandal of Ananthapur District. On 06.07.2015 the shop was inspected by the Mandal Revenue Inspector and other staff and based on his report, a show cause notice was issued to the petitioner by the second respondent- Revenue Divisional Officer, Kalyandurg, along with the order of suspension on 24.07.2015. Challenging the same, the present writ petition is filed.

A perusal of charges levelled against the petitioner indicates that they relate to variation in quantities, not maintaining the stock register and other records properly and running the shop through benami. The quantities which are found to be in variation are mostly within the permissible limits except kerosene oil, which is stated to be of 30 liters. The allegation of benami and not maintaining the records properly can be verified without suspending the authorization.

In the instant case, this Court feels that in view of the allegations levelled against the petitioner, the second respondent has not properly exercised the power of suspension pending enquiry and accordingly, the impugned order to the extent of suspending the authorization of petitioner is set aside giving liberty to the second respondent to conduct enquiry in respect of charges levelled against the petitioner after receiving the explanation from the petitioner and complete the same within a period of three months from the date of receipt of a copy of this order.

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Accordingly, the writ petition is allowed to the extent indicated above. There shall be no order as to costs. Miscellaneous Petitions, if any pending in this writ petition, shall stand closed.

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A. RAMALINGESWARA RAO, J

Date: 18.08.2015

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