

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.12993 of 2015

ORDER:

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

The petitioner was appointed as a fair price shop dealer in the year 2009. He received the essential commodities till April, 2015. On 08.04.2015, on an alleged false complaint, the third respondent inspected the shop and verified the stocks and registers. The petitioner states that on that day he went to Guntur for treatment and his father was present. Since the respondents did not supply the essential commodities, the petitioner filed a petition before the third respondent on 15.04.2015 requesting to allot the commodities. When the same was not acted upon, he filed W.P.No.11908 of 2015 and the same was disposed of on 23.04.2015 directing the respondents to supply the essential commodities so long as the petitioner's authorisation is in subsistence. After receipt of the said order, it is alleged by the petitioner that with an antedate the impugned proceedings dated 13.04.2015 were issued by the second respondent.

There may be some truth in the allegation as can be seen from the second reference in the impugned order, wherein the second respondent stated that the report of the Tahsildar dated 08.04.2015 was received on 15.04.2015, while the order was passed on 13.04.2015. Be that as it may, in view of the allegations, this Court is not inclined to examine the same at this stage and the petitioner is given liberty to submit his explanation within a period of fifteen days from the date of receipt of a copy of this order and after receipt of the said explanation, the second respondent shall consider the same and pass appropriate orders within a period of thirty days after following the principles of natural justice and the law laid down by this Court from time to time with regard to the conduct of enquiry.

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

(A.RAMALINGESWARA RAO, J)

04.06.2015

vs

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