

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

WRIT PETITION NO.26398 OF 2015

Between:

Smt. Martha Manohari.

...PETITIONER

AND

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

...RESPONDENTS

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DATE OF JUDGMENT PRONOUNCED: 20.08.2015

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SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Lordship wish to see the
fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NO.26398 OF 2015

ORDER:

The petitioner was appointed as a permanent fair price shop dealer of shop No.6, Kankanampadu Village, Veligandla Mandal, Prakasam District.

While so, the Enforcement Deputy Tahsildar, Kanigiri, Prakasam District, inspected the shop and submitted a report dated 23.06.2015, based on which a show cause notice was issued to the petitioner dated 26.06.2015 alleging four irregularities. The petitioner submitted her explanation dated 17.07.2015 and after submission of explanation, an order of cancellation of authorization was passed on 31.07.2015. Challenging the same, the present Writ Petition is filed.

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

Learned counsel for the petitioner submitted that no enquiry was conducted in respect of the allegations and the allegations are trivial in nature.

I am not impressed by the argument advanced by the learned counsel for the petitioner. The allegations on variation of quantities when considered in the light of the explanation submitted by the petitioner show that the finding recorded by the third respondent, *prima facie*, could not be found fault with. In view of existence of alternative remedy of appeal against the impugned order and keeping in view the findings recorded by the third respondent, this Court, without expressing any view on the merits of the case, gives liberty to the petitioner to file an appeal before the competent authority within a period of thirty (30) days from today.

At this stage, learned counsel for the petitioner submitted that the petitioner should be continued pending disposal of the appeal. In view of the same, the petitioner is given liberty to file stay application also along with the appeal and if the petitioner files stay application, the same shall be considered by the appellate authority and disposed of within a period of one (1) week after filing of such application.

However, it is needless to mention that the appeal shall be heard on its own merits in accordance with law after giving due opportunity and shall endeavour to dispose of the same, as expeditiously as possible, but within sixty (60) days from the date of filing of the appeal.

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

(A.RAMALINGESWARA RAO, J)

20th August 2015

Note: Issue CC by two days

B/O

RRB