

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION Nos.14231, 14238 and 14252 of 2015

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COMMON ORDER:

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

The petitioners are fair price shop dealers of different shops in Kandadu, Sadashivapuram and Anjimedu Villages of Yerpedu Mandal in Chittoor District. While so, the shops of the petitioners in W.P.Nos.14231 and 14252 of 2015 were inspected on 25.10.2015 by the vigilance officials and a report was sent alleging certain irregularities. A complaint was sent by one of the villagers against the petitioner in W.P.No.14238 of 2015 alleging irregularities. The petitioners submitted their explanation within the prescribed time. Though their explanations were submitted, the impugned orders of cancellation of their authorisation were passed by the third respondent without conducting any enquiry. Challenging the said orders, the present Writ Petitions are filed.

This Court called for the record in view of the allegation levelled by the learned Counsel for the petitioners that no enquiry was conducted. The record revealed that the explanation of the petitioners was considered along with the report submitted by the Tahsildar and no enquiry was conducted.

In the circumstances, this Court is constrained to set aside the impugned orders dated 24.04.2015 and 27.04.2015 respectively and allow the Writ Petitions. However, the matter is remanded to the third respondent for conducting enquiry afresh in accordance with law and complete the same within a period of three months from the date of receipt of a copy of this order. It is needless to observe that by virtue of the interim orders of suspension, the position remaining as on that date shall continue.

The Writ Petitions are, accordingly, allowed. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

19.06.2015

vs

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