

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

WRIT PETITION No. 25163 of 2015

BETWEEN

M.Padmaja Rani

....Petitioner

And

The State of Telangana, rep. by its
Principal Secretary to the Consumer Affairs, Food and
Civil Supplies, Secretariat, Hyderabad and ors.

...Respondents.

DATE OF JUDGMENT PRONOUNCED: 11.08.2015.

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 25163 of 2015

ORDER:

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

The petitioner was appointed as Fair Price Shop Dealer for Shop No. 2401 of Kodimyal Village and Mandal in Karimangar District. It appears that the Deputy Tahsildar, Civil Supplies, inspected the fair price shop of the petitioner and submitted a report on 13.5.2015, basing on which, the second respondent issued a show cause notice to the petitioner on 23.5.2015 alleging two irregularities. The petitioner submitted her explanation on 27.5.2015. After receipt of the same, the authorization of the petitioner was suspended by the second respondent through impugned order dated 30.06.2015 till the outcome of the 6-A proceedings initiated against her (the petitioner). Challenging the same, the present Writ Petition is filed.

The second respondent should have seen that the proceedings initiated under the provisions of the Essential Commodities Act are different from the disciplinary proceedings initiated under the provisions of the AP State Public Distribution System (Control) Order, 2008. A show cause notice was issued to the petitioner in respect of the allegations levelled against her and the petitioner submitted her explanation. In the circumstances, the second respondent should conduct an enquiry in the respect of the allegations levelled against the

petitioner for violation of the provisions of the APSPDS (Control) Order, 2008.

In the circumstances, the impugned order dated 30.06.2015 is clarified that there shall be suspension of authorization of the petitioner pending enquiry. The second respondent is directed to complete the enquiry in respect of the allegations levelled against the petitioner and pass final order within one month from the date of receipt of a copy of this order.

Subject to the above, the Writ Petition is disposed of at the admission stage. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A. RAMALINGESWARA RAO

DATED 11th August, 2015.
Msnr_x