

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

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WRIT PETITION No.33314 OF 2015

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Between:

Golla Jayanna .. Petitioner

And

The Joint Collector, Kurnool District, Kurnool, A.P., and others

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 09.10.2015

SUBMITTED FOR APPROVAL:

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

1. Whether Reporters of Local newspapers Yes/No
may be allowed to see the Judgment?

2. Whether the copies of judgment may be Yes/No

marked to Law Reporters/Journals

3. Whether Their Lordship wish to

see the fair copy of the Judgment? Yes/No

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.33314 of 2015

ORDER:

The petitioner was appointed as a fair price dealer of shop No.51 of Mallempalli Village, Dhone Mandal, Kurnool

District on temporary basis. The authorization of the petitioner was suspended on 08.08.2014 by the 2nd respondent. Challenging the said order, the petitioner submitted an appeal to the 1st respondent along with stay application. Since the stay application was not disposed of, the petitioner approached this Court in W.P.No.29115 of 2014. This Court, by order dated 25.09.2014, disposed of the Writ Petition suspending the order of suspension and directed the 1st respondent to dispose of the appeal. The 1st respondent, by his proceedings dated 09.09.2014, remanded the case to the 2nd respondent. The 2nd respondent, vide proceedings dated 22.11.2014, directed the 3rd respondent to allot essential commodities to the petitioner until further orders. Now, the 2nd respondent passed the impugned order of suspension of authorization on 17.08.2015 on the complaint made to the Hon'ble Lokayuktha by some villagers. Challenging the same, the present writ petition is filed.

It is clear from the above facts that no enquiry was conducted pursuant to the order of suspension dated 08.08.2014 and the same is pending. Now the present order of suspension is passed on 17.08.2015 pursuant to the complaint made by some card holders to the Hon'ble Lokayuktha and on the report of the Tahsildar, Dhone dated 17.07.2015. The petitioner is stated to have been

continuing as a dealer till the order of suspension was passed on 17.08.2015 by virtue of the orders passed by the 2nd respondent dated 22.11.2014.

In the circumstances, the 2nd respondent is directed to complete the enquiry pending, and also in respect of the allegations levelled against the petitioner in the order of suspension dated 17.08.2015, after giving due opportunity to the petitioner within a period of sixty (60) days from the date of receipt of a copy of the order. In view of the order passed by the 2nd respondent on 22.11.2014 and, in the peculiar circumstances of the case, the petitioner shall be continued as a fair price dealer till final orders are passed by the 2nd respondent.

The Writ Petition is allowed to the extent indicated above. Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:09.10.2015

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