

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

-
WRIT PETITION No.3618 of 2015

DATE 02-09-2015

Between:

Bandi Srinivas

... Petitioner

And

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

... Respondents

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

W.P.No.3618 of 2015

ORDER:

The petitioner was appointed as fair price shop dealer of Shop No.7, Nagapur Village, Utnoor Mandal, Adilabad District. It appears that the Tahsildar, Utnoor Mandal, the 3rd respondent herein, submitted a report dated 7.02.2015 alleging certain irregularities against the petitioner and issued proceedings under Section 6-A of the Essential Commodities Act, which are still pending. Basing on the said report the 2nd respondent passed an order of suspension of the authorisation of the petitioner on 9.02.2015. Thereafter, a show cause notice dated 10.02.2015 was issued to the petitioner asking him to submit his explanation. The petitioner submitted a detailed explanation on 13.02.2015. As no orders are passed on the explanation, the petitioner filed the present writ petition.

This Court by order dated 19.02.2015 granted interim suspension of the order passed by the 2nd respondent and as such the petitioner is continuing as fair price shop dealer.

The 4th respondent, in anticipation of vacancy, has filed implead petition and a petition to vacate the interim order of suspension. The said applications along with writ petition are taken up for consideration.

Admittedly, the 2nd respondent had passed the impugned order on 9.02.2015, that is prior to issuance of show cause notice dated 10.02.2015. Though the show cause notice was issued way back on 10.02.2015 and the petitioner submitted his explanation on 13.02.2015, the 2nd respondent did not complete the enquiry till now.

In the circumstances, the 2nd respondent is directed to complete

the enquiry by giving due opportunity to the petitioner and pass final orders thereon within a period of three months from the date of receipt of a copy of this order.

The writ petition is accordingly allowed. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

A. RAMALINGESWARA RAO, J.

2nd September, 2015
Js.