

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NO.26955 OF 2015

ORDER:

The petitioner was appointed as Fair Price Shop dealer of Shop No.8 in Shyamarajupuram village, Durgi Mandal. While so, on the report of the Sub-Inspector of Police, dated 24-03-2015 and report of the Tahsildar, a show cause notice was issued to the petitioner on 25-07-2015 asking the petitioner to submit his explanation within 7 days. Even before receipt of explanation from the petitioner, an order of suspension was passed on 03-08-2015. Challenging the same, the present writ petition is filed.

2. Learned counsel appearing for the petitioner submits that the show cause notice was served on the petitioner along with the order of suspension and the suspension order states that the petitioner has not submitted his explanation. In the circumstances, the learned counsel for the petitioner seeks indulgence of this Court to set aside the order of suspension. But, this Court is of the opinion that power is vested with the appointing authority to suspend the authorization pending enquiry and in those circumstances, the contention of the learned counsel for the petitioner cannot be accepted. Though the order of suspension was passed on 03-08-2015 without giving sufficient time for the petitioner to submit his explanation, the petitioner can submit his explanation now. If the 2nd respondent is not satisfied with the explanation of the petitioner, he can conduct enquiry.

3. Accordingly, the writ petition is disposed of giving liberty to the petitioner to submit his explanation to the show cause notice, dated 25-07-2015 within one week from the date of receipt of a copy of this order and on receipt of said explanation, if the 2nd respondent is not satisfied with the same, he may conduct enquiry and complete the same after giving due opportunity to the petitioner and pass final orders thereon within 30 days from the date of receipt of explanation. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

DATED: 25-08-2015

Hsd