

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.11743 of 2015

ORDER:

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for the Civil Supplies for the State of Andhra Pradesh.

2. This writ petition is filed seeking writ of *Mandamus* declaring the proceedings dated 04.04.2015 of the 3rd respondent in suspending the petitioner's F.P. shop authorization for Shop No.21, Model Colony, Hindupur, Anantapur District, as illegal and arbitrary and for a consequential direction to the respondents to continue him as fair price shop dealer.

3. The authorisation of the petitioner was suspended allegedly noticing some variations in the stock at the time of inspection by the authorities. The variation in the stock of sugar, which is 7.04%, according to the respondents, is not within the permissible limits. Learned counsel appearing for the petitioner submits that the fair price shop of the petitioner was not at all inspected and the petitioner also filed the photographs showing availability of the stock of sugar in the fair price shop. He also filed notarized affidavits of the *panchayatdars*, who stated that they were not at all called by the authorities and no *panchanama* was conducted in their presence. On the other hand, learned Government Pleader for the Civil Supplies contends that this is an order of suspension pending enquiry, which can be appreciated by the authorities by conducting regular enquiry after going through the evidence adduced on either side.

4. Under these circumstances, the 3rd respondent-Revenue Divisional Officer, Penukonda, Ananthapur District, is directed to conduct enquiry after affording opportunity of personal hearing to the petitioner and consider the material produced by the petitioner in support of his case and pass final orders within eight (8) weeks from the date of receipt of a copy of this order.

5. The writ petition is accordingly disposed of. Miscellaneous applications, if any, in this writ petition, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 22.04.2015

Note:

Furnish CC in three days.

(BO)

BSS

HON'BLE SRI JUSTICE R. KANTHA RAO

-

-

20

URGENT

-

-

-

-

-

-

-

Writ Petition No.11743 of 2015

-

-

-

-

-

-

— — — — —

Date: 22.04.2015

BSS

