

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.3155 of 2015

ORDER:

Heard learned counsel appearing for the petitioner, learned Government Pleader for Civil Supplies appearing for respondent No.1 and learned Government Pleader for Revenue appearing for respondents 2 to 4.

This Writ Petition is filed seeking to declare the action of the 3rd respondent in suspending the authorization of the petitioner *vide* proceedings dated 20.11.2013, as illegal and arbitrary.

The petitioner is the permanent fair price shop dealer of Shop No.23, Yerpedu Mandal, Tirupati Division, Chittoor District. Based on the report sent by the Vigilance Official alleging certain irregularities, the 3rd respondent *vide* proceedings dated 20.11.2013 suspended the authorization of the petitioner.

The grievance of the petitioner is that more than one year has elapsed so far, but no enquiry has been conducted till date.

Obviously, the authorization of the petitioner was suspended for an indefinite period, which is unsustainable in law.

In these circumstances, the writ petition is

disposed of suspending the impugned order dated 20.11.2013 and the respondents are directed to allot the essential commodities to the petitioner's fair price shop No.23, Yerpedu Mandal, Tirupati Division, Chittoor District. However, this order does not preclude the competent authority to conduct enquiry into the allegations levelled against the petitioner and passing final orders. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R. KANTHA RAO

18th February, 2015
rkk

Note: Issue by two days.