

HON'BLE SRI JUSTICE R.KANTHA RAO

Writ Petition No.6056 of 2015

Date: 24-3-2015

Between

Gunji Srinivasa Rao

... Petitioner

and

The State of A.P.,

Rep. by its Prl. Secretary,

Civil Supplies Dept.,

Secretariat, Hyderabad;

and 3 others

... Respondents

HON'BLE SRI JUSTICE R.KANTHA RAO

Writ Petition No.6056 of 2015

Order:

Heard Sri G.Pedda Babu, learned counsel appearing for the

petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

2. The authorisation of the fair price shop of the petitioner was suspended by order dated 01-4-2011 on the allegations that the petitioner, who is the permanent dealer of Fair Price Shop No.28 of Chilakaluripeta Town and Mandal, Guntur district is not available in Chilakaluripeta Town and the enquiries revealed that he is not staying in the village and thereby violated Conditions 8 and 9 of the Authorization issued under the Andhra Pradesh State Public Distribution System (Control) Order, 2008 [Control Order, 2008, for short] and that the fair price shop was being run by one Y.Brahmaiah, which is in contravention of Condition 2(1) of Annexure-I of Control Order, 2008.

The petitioner was asked to submit an explanation within a week. According to the petitioner, he submitted explanation but so far no final orders have been passed and his authorisation is still subsisting as it is being renewed from time to time.

3. On the other hand, the learned Government Pleader for Civil Supplies, on instructions, submitted that the petitioner did not submit any explanation, that he only approached the office of the Tahsildar on 11-3-2014 with his explanation and requested to restore the authorisation of the fair price shop.

4. Though there are conflicting versions, the fact remains that so far no enquiry has been initiated against the petitioner. Under these circumstances, the petitioner is directed to submit his explanation within a period of 2 (two) weeks and thereafter, the 3rd respondent-RDO, Narsaraopeta is directed to conduct an enquiry into the allegations levelled against the petitioner and pass appropriate orders within a period of 8 (eight) weeks from the date of receipt of a

copy of this order. The writ petition is disposed of accordingly. The miscellaneous petitions, if any, pending in this writ petition shall stand closed.
No costs.

R.KANTHA RAO, J.

24th March, 2015.

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