

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 17916 of 2015

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for the respondents.

2. The petitioner was appointed as a Fair Price Shop Dealer of Shop No.205 of R.K.Nagar, Malkajgiri, Rangareddy District. The authorization is valid up to 31.03.2015. While so, on 27.05.2015, the 3rd respondent visited the shop of the petitioner and noticed that one J. Sampath Rao sitting and conducting the business instead of the authorized dealer. The 3rd respondent accordingly conducted a panchnama and noted the quantities. Based on the report of the 3rd respondent dated 30.05.2015, the 2nd respondent passed an order on 08.06.2015 suspending the authorization of the petitioner on the sole ground that the shop is being run by a binami, J. Sampath Rao.

3. Now the ground alleged is that the shop is being run by a benami person instead of by the authorized dealer. The said allegation can be verified even without suspending the authorization of the petitioner. In the circumstances, the impugned order passed by the 2nd respondent to the extent of suspending the authorization of the petitioner is set aside, but however, giving liberty to the 2nd respondent to proceed against the petitioner with respect to the allegations and complete the enquiry within a period of three months from the date of receipt of a copy of the order after duly observing the principles of natural justice and the binding decisions of this Court.

4. The Writ Petition is accordingly disposed of. Miscellaneous petitions, if any, pending in the writ petition shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

19th June, 2015
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