

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.26174 of 2015

ORDER:

The petitioner was appointed as a Fair Price Shop dealer of Shop No.26, Pasarlpadu Village, Rentachintala Mandal, Guntur District. While so, the fourth respondent issued a show cause notice on 03.07.2015 and the petitioner submitted his explanation on 12.07.2015. When the required stock was not supplied to the petitioner, the petitioner filed W.P.No.29931/2014 seeking supply of the stock. The said writ petition was dismissed on 08.10.2014 with a liberty to file fresh petition with complete details, and the petitioner filed another writ petition in W.P. No.32298/2014. When the said writ petition came up for consideration, it was informed by the learned Government Pleader for Civil Supplies that the petitioner's authorisation was suspended on 29.09.2014. Challenging the same, the petitioner filed W.P. No.30823/2014. When this Court passed an interim order the orders passed on 29.09.2014 were withdrawn and the authorisation of the petitioner was restored. It appears that in respect of subsequent incident wherein it was noticed that a lorry bearing registration No.AP 29 TA 4775 was stationed on the side of the road without any proper documents and the same was seized, Crime No.3/2015 was registered under Section 420 IPC read with Section 7 of the Essential Commodities Act. Thereafter, a show cause notice was issued on 03.07.2015 alleging that 4.15 quintals of rice was shifted to the black market. Challenging the same, the present writ petition is filed.

The show cause notice indicates that the same was issued pursuant to the report of the Tahsildar, Rentachintala, dated 25.06.2015, and a case under Section 6A of the Essential Commodities Act is pending against the petitioner. It was alleged that

the petitioner has been transporting 4.15 quintals of PDS rice to the black market and a case was registered against him under Section 420 IPC read with Section 7 of the Essential Commodities Act. In view of the said allegation, this Court is not inclined to interfere with the enquiry process. The petitioner had already submitted his explanation on 12.07.2015.

In view of the above, the fourth respondent is directed to conduct an enquiry in respect of the allegation by giving due opportunity to the petitioner and pass final orders thereon within thirty (30) days from the date of receipt of a copy of this order.

Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

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

A.RAMALINGESWARA RAO, J

21.09.2015

MVA

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Date: 21.09.2015

MVA