

THE HONOURABLE SRI JUSTICE R. KANTHA RAO

W.P.No.1081 of 2015

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ORDER

Heard learned counsel appearing for the petitioner, learned Government Pleader for Civil Supplies and Smt. Bonthu Rajani, learned counsel for 5th respondent.

2. The petitioner is a fair price shop dealer of Shop No.3 of Pullalacheruvu Village and Mandal, Prakasam District. A show cause notice was issued to the petitioner alleging certain irregularities, for which the petitioner submitted a reply. It is submitted on behalf of the petitioner that without conducting any enquiry, the authorization of the petitioner's fair price shop was suspended by the third respondent-Revenue Divisional Officer. The grievance of the petitioner is that when he submitted a prompt reply to the show cause notice issued to him, the respondents are obliged to conduct an enquiry before passing any order, but in the instant case, no such enquiry is conducted. It is further submitted on behalf of the petitioner that even the variations mentioned in the show cause notice are permissible variations and the respondents ought not to have suspended the authorization of the petitioner. The petitioner, however, filed an appeal, which is now pending with the second respondent-Joint Collector.

3. In the aforesaid circumstances, the second respondent-Joint Collector is directed to dispose of the appeal, within a period of two months from the date of receipt of a copy of this order, and till disposal of the said appeal by the Joint Collector, there shall be interim suspension of the suspension order passed by the third respondent-Revenue Divisional Officer.

4. With the above direction, the Writ Petition is disposed of.
No order as to costs. Miscellaneous petitions, if any, pending in
this writ petition shall stand closed.

R.KANTHA RAO,J

4th February, 2015

Note:

Issue CC by Monday.

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