

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 19093 of 2015

DATED 29TH JUNE, 2015

BETWEEN

G.Chandra Kumari

...Petitioner

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Civil Supplies Department, Secretariat,
Hyderabad and ors.

....Respondents.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 19093 of 2015

ORDER:

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

The petitioner was appointed as a fair price shop dealer of shop No.89 of Vizianagaram town, Vizianagaram District. While so, the Deputy Tahsildar (Civil Supplies) verified the records on the basis of the complaint received by him and submitted a report to the fourth respondent-Tahsildar, Vizianagaram Mandal. The fourth respondent in turn passed an order for appointment of temporary-in-charge dealer on the ground that 6-A proceedings are initiated against the petitioner, vide his order dated 28.06.2015. Challenging the said order, the present writ petition is filed.

During the course of pendency of 6-A proceedings, the third respondent-Revenue Divisional Officer, Vizianagaram alone is competent to take up disciplinary proceedings if they are warranted. No show cause notice was issued to the petitioner by the third respondent and no procedure as is laid down was followed while passing the impugned order dated 28.06.2014 by the fourth respondent. More so, the fourth respondent is incompetent to pass the impugned order. Therefore, the impugned order of the fourth respondent dated 28.06.2014 to the extent of the petitioner is set aside.

Accordingly, the writ petition is allowed.

The miscellaneous petitions, if any, pending in the writ petition shall stand closed. There shall be no order as to costs.

JUSTICE A.RAMALINGESWARA RAO

Dated 29TH JUNE, 2015.
Msnr_x