

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

* * * *

WRIT PETITION No.9499 of 2015

Between:

Sri B.Kotaiah.

....Petitioner

and

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

....Respondents

DATE OF JUDGMENT PRONOUNCED: 27.07.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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|----|---|--------|
| 1. | Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. | Whether the copies of judgment may be
Marked to Law Reporters/Journals? | Yes/No |
| 3. | Whether His Lordship wishes to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.9499 of 2015

ORDER:

The petitioner was appointed as a fair price shop dealer of shop No.21 of Ethamukkala Village of Kothapatnam Mandal in Prakasam District, Andhra Pradesh. While so, his shop was inspected on 19.12.2013 by the Assistant Supply Officer, Ongole, and some variations in the stock were noted. On the basis of the report submitted by the inspecting officers, a show cause notice was issued to the petitioner on 31.01.2014 and the petitioner submitted his explanation. An order of

suspension was passed on 31.01.2014 while issuing the show cause notice. Challenging the same, the present Writ Petition is filed.

It appears that due to variations noticed in the stock separate proceedings under Section 6A of the Essential Commodities Act were initiated and they are pending. However, a show cause notice was issued to the petitioner on 31.01.2014 and the petitioner submitted his explanation to the third respondent. The enquiry before the third respondent is pending in respect of the allegations levelled against the petitioner. The third respondent ought to have completed the enquiry within a period of ninety days.

In the circumstances, this Writ Petition is disposed of directing the third respondent to conduct an enquiry into the allegations levelled against the petitioner and pass a reasoned order within a period of thirty days from the date of receipt of a copy of this order. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

27.07.2015
vs