

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 29479 of 2015

DATED 10th September, 2015

BETWEEN

Savaranna

.....Petitioner

And

State of Telangana, rep. by its Principal Secretary,
Civil Supplies Department, Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 29479 of 2015

ORDER:

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

The petitioner was appointed as Fair Price Shop Dealer for Shop No. 2 (Mandal Serial No.30) of Tatikunta village (II), Maldakal Mandal, Gadwal Revenue Division, Mahabubnagar District on permanent basis. While so, when stock was not released, the petitioner filed Writ Petition No. 26908 of 2014 and this Court disposed of the said Writ Petition by order dated 18.09.2014 directing the respondents to supply stocks so long as the authorization of the petitioner is in force while giving liberty to the competent authority to take action in case the petitioner commits any violation. By the date of the said order, the Tahsildar, Maldakal submitted report on 14.7.2014 and pursuant to the same, the third respondent passed an order on

17.09.2014 suspending the authorization of the petitioner in view of variation in the commodities, in respect of which, 6-A proceedings are pending. The petitioner submitted his explanation on 12.11.2014. After receipt of the order in Writ Petition No. 26908 of 2014, the third respondent again issued another order of suspension on 22.10.2014. Challenging the same, the present Writ Petition is filed.

Having regard to the facts and circumstances, this Court is of the opinion that though in respect of the same inspection report, the third respondent passed second time the order of suspension on 22.10.2014 in identical terms to the earlier order dated 17.09.2014, the petitioner submitted his explanation on 12.11.2014, now what remains is that an enquiry has to be conducted in respect of the allegations levelled against the petitioner in the show cause notice dated 22.10.2014. In view of the pendency of the enquiry, this Court is not inclined to interfere with the enquiry process. However, the third respondent is directed to complete the enquiry by giving due opportunity to the petitioner and pass final order thereon within a period of thirty days from the date of receipt of a copy of this order, irrespective of the pendency of the 6-A proceedings.

The Writ Petition is disposed of accordingly. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A. RAMALINGESWARA RAO

DATED 10th September, 2015.
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