

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.14773 of 2015

ORDER:

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

2. The petitioner was appointed as a fair price shop dealer of shop No.21, Latchampeta Village, L.Kota Mandal, Vizianagaram District. On the basis of information, the third respondent issued a show cause notice on 06.02.2015 asking the petitioner to submit her explanation for cancellation of her authorization. The petitioner submitted his explanation denying the charges. The third respondent passed an order on 18.04.2015, challenging which, the present Writ Petition is filed.

3. A perusal of the order of the third respondent indicates that the explanation of the petitioner was not taken into consideration at all. It revealed that Section 6-A of the Essential Commodities Act proceedings were initiated against the petitioner for certain irregularities and they ended in passing an order of confiscation of 55% of the value of seized stock. However, the Collector (CS), Vizianagaram in the said order appears to have directed the Revenue Divisional Officer, Vizianagaram to take necessary action against the petitioner. In pursuance of that direction only, the show cause notice was issued by the third respondent on 06.02.2015 and without considering the explanation submitted by the petitioner, the authorization was cancelled.

4. In view of the above, the impugned order of the third respondent dated 18.04.2015 is set aside to the extent of cancellation of authorization of the petitioner. However, the third respondent can go ahead with the enquiry in respect of the charges leveled against the petitioner and complete the same in accordance with law within a period of three months from the date of a copy of this order.

5. The Writ Petition is, accordingly, disposed of. No order as to costs.
Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 03.06.2015

TJMR