

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.11861 of 2015

ORDER:

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for the Civil Supplies for the State of Andhra Pradesh.

2. This writ petition is filed seeking writ of *Mandamus* declaring the action of the 2nd respondent in not passing stay order on his stay petition presented along with the appeal dated 10.04.2015 against the order dated 02.04.2015 passed by the 3rd respondent, as illegal and arbitrary and for a consequential direction to the respondents to continue him as fair price shop dealer.

3. The authorisation of the petitioner was suspended on 02.04.2015 by the 3rd respondent-Revenue Divisional Officer, Ongole, Prakasama District, alleging certain irregularities. Against the said orders, the petitioner preferred an appeal to the 2nd respondent-District Collector (CS), Prakasam District at Ongole on 10.04.2015. Along with the said appeal, the petitioner also filed a stay petition. Learned counsel appearing for the petitioner submits that the order of suspension was passed in a mechanical way without considering the explanation offered by the petitioner.

4. In any event, since the order of suspension was passed pending enquiry, this Court is not inclined to go into the merits of the case. Having regard to the facts and circumstances, the 2nd respondent is directed to dispose of the appeal preferred by the petitioner, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. The writ petition is accordingly disposed of. Miscellaneous applications, if any, in this writ petition, shall stand closed. No order as to costs.

Date: 22.04.2015

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