

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.3032 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies appearing for respondents 1 to 4.

This Writ Petition is filed seeking to declare the action of the 3rd respondent in suspending the authorization of the petitioner for an indefinite period, as arbitrary and illegal.

Petitioner is the fair price shop dealer of shop No.1, Gollapalli Vilalge, Gummagatta Mandal, Anantapuram District. On 17.07.2014, the 3rd respondent issued show cause notice and suspended the authorization of the petitioner, for which, he submitted his explanation. The petitioner submitted representation to the 3rd respondent on 12.8.2014 to consider his case for revoking the suspension order. But, so far, no final orders have been passed.

Obviously, the authorization of the petitioner was suspended for an indefinite period, which is unsustainable in law. The suspension of authorization can be only for a definite period not exceeding 90 days. Within the stipulated period, the respondents have to conduct enquiry and pass final orders. In the instant

case, so far, no enquiry has been initiated against the petitioner.

Under these circumstances, the Writ Petition is disposed of revoking the suspension order whereunder the authorization of the petitioner was suspended and the respondents are directed to continue the petitioner as fair price shop dealer till the final orders are passed in the enquiry, if any, proposed against the petitioner. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R. KANTHA RAO

18th February, 2015

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Note: Issue by Monday.

