

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.29913 of 2015

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ORDER:

The petitioner was appointed as a Fair Price Shop dealer of Shop No.744, Sanath Nagar, Hyderabad. He was arrested in Crime No.435/2015, which was booked under Section 7 of the Essential Commodities Act, 1956 read with Sections 420 and 406 IPC. In view of the same, the petitioner's authorisation was suspended on 01.09.2015 basing on the report of the third respondent dated 28.08.2015. Challenging the same, the present writ petition was filed.

A reading of the impugned order dated 01.09.2015 shows that the said order was passed as per clause 2(5) of Annexure-I of the A.P. Public Distribution System (Control) Order 2008. After suspending the authorisation, a show cause notice was issued to the petitioner.

Since the second respondent has to independently conduct the proceedings if there are any allegations against the Fair Price Shop dealer, this Writ Petition is disposed of directing the second respondent to conduct an enquiry in respect of the said allegations by issuing show cause notice to the petitioner, inviting his explanation and conduct an enquiry before passing final orders thereon. The said exercise shall be completed within a period of sixty (60) days from the date of receipt of a copy of this order.

Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

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

A.RAMALINGESWARA RAO, J

05.10.2015

MVA

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Date: 05.10.2015

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MVA