

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.2966 of 2015

ORDER:

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

This Writ Petition is filed seeking to declare the action of the 2nd respondent in suspending the authorization of the petitioner, as arbitrary and illegal.

The petitioner was appointed as fair price shop dealer of shop No.7, Jayanthiramapuram Village, Bollapalli Mandal, Guntur District. Based on the report dated 17.07.2014 submitted by the Deputy Tahsildar, a charge memo was issued to the petitioner on 5.8.2014, for which, he submitted his explanation denying the allegations levelled against him. On the same day i.e., on 5.8.2014 without conducting any enquiry, the authorization of the petitioner was suspended for an indefinite period.

The grievance of the petitioner is that the suspension order was passed without conducting any enquiry.

The suspension of authorization can be only for a definite period and within the said period, enquiry has to be conducted. In the instant case, though the

authorization of the petitioner was suspended in the month of August, so far no enquiry has been initiated against him.

In the above circumstances, the impugned order dated 5.8.2014 whereunder the authorization of the petitioner was suspended, is set aside and the respondents are directed to continue the petitioner as fair price shop dealer till final orders are passed on the enquiry proposed to be conducted against him.

Accordingly, the 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.

JUSTICE R. KANTHA RAO

18th February, 2015
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