

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.24370 of 2015

DATE 24-08-2015

Between:

Ravula Uma Devi

... Petitioner

And

1. The State of Telangana, rep. by its Ex-Officio Secretary-cum-Commissioner of Civil Supplies Consumer Affairs, Food & Civil Supplies Department, Secretariat, Hyderabad-500 022 and others.

... Respondents

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

W.P.No.24370 of 2015

ORDER:

The petitioner was appointed as a fair price shop dealer of Shop No.384 of Raji Reddy Nagar, Champet, Ranga Reddy District. While so, on 19.03.2015, the Assistant Supply Officer, Circle-III, Saroornagar, the 4th respondent herein, inspected the shop of the petitioner and on noticing certain irregularities he booked a case against the petitioner under Section 6-A of the Essential Commodities Act, 1955, and submitted report to the 3rd respondent. Based on the said report, the 3rd respondent issued show cause notice dated 7.04.2015. Aggrieved by the same the petitioner filed W.P.No.10371 of 2015. This Court by order dated 13.04.2015 in W.P.M.P.No.13696 of 2015 granted interim suspension of the order dated 7.04.2015. Later on, the 3rd respondent withdrew the order dated 7.04.2015. The petitioner submitted explanation on 15.04.2015 before the 3rd respondent and after considering the said explanation, the 3rd respondent passed an order dated 8.05.2015 suspending the authorisation of the petitioner and tagging the ration cards of his shop to another shop No.664, Champapet, till further orders. Challenging the same, the present writ petition is filed.

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

It is well settled principle that the authorisation of the petitioner cannot be suspended indefinitely and if the 3rd respondent wants to take any action for violation of the Control Order, he should follow due

procedure, conduct enquiry and after completing the same shall pass appropriate orders. But without following due process he cannot keep the order of suspension indefinitely.

In the circumstances, the writ petition is disposed of directing the 3rd respondent to conduct enquiry in respect of the allegations levelled against the petitioner and complete the same within a period of the two weeks from the date of receipt of a copy of this order.

Consequently, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

A. RAMALINGESWARA RAO, J.

24th August, 2015
Js.