

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 14535 OF 2015

DATED 5TH JUNE, 2015

BETWEEN

Smt. Jonnalagadda Lusamma

...Petitioner

And

The State of Andhra Pradesh,

Rep. by its Principal Secretary,

Consumer Affairs, Food and Civil Supplies,

Secretariat, Hyderabad and anr

...Respondents.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 14535 of 2015

ORDER:

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Heard learned Counsel for the petitioner and learned Government Pleader for the respondents,.

The challenge of the impugned proceedings of the second respondent dated 24.12.2014 is on the ground that the second respondent lacks jurisdiction. A reading of the impugned proceedings discloses that on the complaint of the cardholders, an enquiry was conducted and while submitting the report to the competent authority, the second respondent suspended the dealership of the petitioner for a period of ninety days. The learned Counsel for the petitioner submits that the Revenue Divisional Officer is alone competent to pass orders of suspension after the receipt of the report from the Tahsildar and considering the case on record. Admittedly the impugned order is passed by the second respondent while submitting the report to the competent authority.

In the circumstances, the impugned order dated 24.12.2014 passed by the second respondent is set aside.

The Writ Petition is allowed. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

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JUSTICE A.RAMALINGESWARA RAO

Dated 5th June, 2015.

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