

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION Nos.18360 and 2676 of 2015

COMMON ORDER:

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

W.P.No.18360 of 2015:

The petitioner was appointed as a Fair Price Shop Dealer in respect of Shop No.10 of Govindawada village, Bommanahal Mandal, Anantapur District, in the year 1992. The authorization of the petitioner is valid till 31.03.2016. When the petitioner remitted the amount for release of the stock and the stock was not released for the month of May, 2015, the petitioner filed W.P.No.2676 of 2015 and the said writ petition is pending in this Court. While so, the 4th respondent along with the staff inspected the shop of the petitioner on 07.04.2015, and basing on the report submitted by the 4th respondent, 6-A proceedings were initiated in the routine manner. The 3rd respondent passed an order of suspension on 22.04.2015 alleging minor variations and raising three technical grounds. Challenging the said order of suspension, the petitioner has filed Writ Petition No.18360 of 2015.

This Court perused the order of suspension dated 22.04.2015 and the variation noticed appear to be within the permissible limits. The other allegations relate to short weightment to the card holders, selling the essential commodities at higher price and not produced the stamping certificate issued by the Legal Meteorological Department. No particular instances were shown and the charges are general in nature. Therefore, the charges do not warrant suspension of the authorization of the petitioner pending enquiry, if any. In the circumstances, the order dated 22.04.2015 passed by the 3rd

respondent suspending the authorization of the petitioner is set aside, but however, giving liberty to the 3rd respondent to invite an explanation from the petitioner in respect of the above charges, conduct an enquiry and pass final orders thereon. The Writ Petition No.18360 of 2015 is accordingly disposed of. There shall be no order as to costs.

W.P.No.2676 of 2015:

In view of the disposal of the W.P.No.18360 of 2015, as aforesaid, it deserves to be noticed that so long as the authorization of the petitioner is valid and in force, the respondents have to supply the stock, and in that view of the matter, W.P.No.2676 of 2015 is also disposed of directing the respondents to supply the stock to the petitioner's fair price shop. There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any pending in these writ petitions, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 23.06.2015

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