

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.33499 of 2015

ORDER :

This Writ Petition is filed challenging the proceedings No.F/199/2015 dt.29.09.2015 of 3rd respondent (for short, 'the impugned order') canceling the authorization of petitioner as a Fair Price Shop dealer for Shop No.16 in Kanimetta Village of Kothakota Mandal, Mahaboobnagar District.

2. Admittedly, the petitioner was issued a show-cause notice by 3rd respondent on 09.03.2015 to show-cause why her Fair Price Shop dealership should not be cancelled.
3. Thereafter, the petitioner herein submitted an explanation thereto dt.13.03.2015. But without referring to that explanation, on 25.03.2015 the petitioner's Fair Price Shop dealership was cancelled on the ground that she did not submit any explanation.
4. The petitioner questioned the same in W.P.No.10104 of 2015.
5. This Court, by order dt.13.06.2015, set aside the order dt.25.03.2015 of the 3rd respondent herein observing that it would not prevent the 3rd respondent from conducting an enquiry in respect of allegations against petitioner in accordance with law, if he so chooses.
6. Thereafter, the impugned order has been passed by 3rd respondent again canceling the authorization of petitioner to run the subject Fair Price Shop. In the said impugned order, there is

no reference to the show-cause notice issued by 3rd respondent or the explanation given by 3rd respondent, and no findings were given as to why the petitioner's Fair Price Shop dealership is being cancelled. Therefore, the said impugned order cannot be sustained. The 3rd respondent appears to be totally unaware of the requirements of *quasi* judicial adjudication. Therefore, the impugned order cannot be sustained, and it is accordingly set aside with costs of Rs.5,000/- to be paid personally by 3rd respondent to petitioner.

7. Copy of this order is marked to 1st respondent to initiate appropriate proceedings against 3rd respondent for the manner in which he is functioning as statutory authority under the Andhra Pradesh State Public Distribution Scheme (Control) Order, 2008.
8. Accordingly, the Writ Petition is allowed with the above directions.
9. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 02.11.2015

Ndr/*

Note :

C.C. to 1st respondent.

B/o.

Ndr/*