

IN THE HIGH COURT OF JUDICATURE: AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WRIT PETITION No.26018 of 2015

BETWEEN:

Cheppalli Chand Basha,
S/o. Jabbar Saheb.

.. **Petitioner**

AND

The State of Andhra Pradesh,
rep.by its Principal Secretary,
Food and Consumer Affairs Department,
Secretariat Buildings, Hyderabad,
and 3 others.

.. **Respondents**

DATE OF JUDGMENT PRONOUNCED: 18.08.2015.

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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| 1. Whether reports of Local newspapers
may be allowed to see the judgments? | YES/NO |
| 2. Whether the copies of judgments may be
marked to Law Reporters/Journals. | YES/NO |
| 3. Whether their Ladyship/Lordship wish to
see the fair copy of the Judgment ? | YES/NO |

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.26018 of 2015

ORDER:

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

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The petitioner was appointed as fair price shop dealer of shop No.16 of Sivapuram Village in Mydukur Mandal of YSR Kadapa District. His authorization is valid up to 31.03.2017.

On 25.05.2015 the Vigilance and Enforcement officials inspected the shop and found certain irregularities and submitted a report to the fourth respondent-Tahsildar, Mydukur Mandal, who in turn submitted a report to the third respondent-Revenue Divisional Officer, Jammalamadugu, based on which, the third respondent issued a show cause notice on 02.06.2015. The petitioner submitted his explanation on 09.06.2015. After receipt of explanation, the matter was referred to the fourth respondent for submitting factual report. After receipt of the report from the fourth respondent on 10.07.2015, the impugned order of suspension was passed by the third respondent on 23.07.2015. Challenging the same, the present writ petition is filed.

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This Court carefully perused the charges levelled against the petitioner and there are five charges against the petitioner including the charge of running the shop through benami. Most of the charges are minor charges and do not warrant suspension of authorization pending enquiry.

In the circumstances, this Court is satisfied that the power of suspension was not properly exercised and the impugned order dated 23.07.2015 of the third respondent is suspended pending enquiry and it is left open to third respondent to conduct enquiry in respect of the charges levelled against the petitioner by due notice and opportunity to the petitioner and pass final orders thereon within a period of three months from the date of receipt of a copy of this order.

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Accordingly, the writ petition is allowed to the extent indicated above. There shall be no order as to costs. Miscellaneous Petitions, if any pending in this writ petition, shall stand closed.

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A. RAMALINGESWARA RAO, J

Date: 18.08.2015

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