

THE HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.9317 of 2015

Oral Order:

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

It is submitted by the learned counsel appearing for the petitioner that the petitioner is the permanent fair price shop dealer of shop no.19, Surampalem Village, Chatrai Mandal, Krishna District. The Tahsildar, Chatrai Mandal, Krishna District -2nd respondent herein inspected the shop of the petitioner on 18.12.2014 and issued proceedings on 24.12.2014 suspending authorization of the petitioner. Learned counsel appearing for the petitioner brought to the notice of this Court about G.O.Ms.No.38 Consumer Affairs, Food and Civil Supplies (CS.I) Department dated 11.9.2012 and clause 12(vi) of the Control Order 2008, according to which, such power can be exercised only by the Appointing Authority and not by Tahsildar.

In view of the same, the writ petition is allowed setting aside the impugned order dated 24.12.2014 passed by the 2nd respondent and the authorities are directed to continue the petitioner as fair price shop dealer during subsistence of the authorization. This order however does not preclude the authorities for conducting enquiry into the allegations if any leveled against the petitioner.

Accordingly, the writ petition is allowed at the admission stage. Miscellaneous applications, if any, shall stand closed.

JUSTICE R. KANTHA RAO

Dated : 6.4.2015

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Note :

Issue cc in 3 days

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