

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA
RAO**

WRIT PETITION No. 29955 OF 2015

-
Date: 21-09-2015
-

-
Between:
L.Nagaraju

... Petitioner

And
The State of Andhra Pradesh, rep.by its Secretary,
Civil Supplies Department, Secretariat
Hyderabad and three others.

... Respondents

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA
RAO**

WRIT PETITION No.29955 of 2015

ORDER:

The petitioner was appointed permanent fair-price shop dealer of shop No.67 of Vinayaka Nagar Hamlet of Kirikera, Hindupur Mandal, Anantapur District. Based on the report of Tahsildar, dated 05-02-2015, a show-cause notice was issued on 23-02-2015 and the petitioner submitted his explanation on 09-07-2015. After considering the explanation, the authorization of the petitioner was cancelled by the 3rd respondent by order dated 28-07-2015. Challenging the same, the present writ petition is filed.

A perusal of the impugned order dated 28-07-2015 shows that after submission of the explanation of the petitioner on 09-07-2015, no enquiry was conducted by producing necessary records in respect of the allegations of variation of the quantity. In the absence of conducting enquiry, the order passed by the 3rd respondent is vitiated and

accordingly, this Court is constrained to set aside the order dated 28-07-2015 and remand the matter to the 3rd respondent for conducting enquiry and passing a fresh order after giving due opportunity to the petitioner within a period of three months from the date of receipt of the copy of the order.

Accordingly, the writ petition is allowed at the admission stage to the extent indicated above.

In consequence, the miscellaneous petitions, if any, pending in this writ petition shall stand closed. No order as to costs.

A.RAMALINGESWARA RAO, J.

21-09-2015

nvl