

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NO.26943 OF 2015

ORDER:

The petitioner was appointed as Fair Price Shop dealer of Shop No.8017 at D.No.3-116, Azmeera Thanda village, Tippareddygudem Post, Tirumalayapalem Mandal, Khammam District. While so, on 28-06-2015, the 5th respondent inspected the shop and found no variation in the stock. However, the authorization of the petitioner was suspended by the 3rd respondent on the ground that on 27-06-2015 some PDS Rice, which was being transported in a lorry bearing No. AP 05 Y 4389 pertaining to stage-II transport contractor of MLS point, Khammam was caught by the police along with 16 quintals of rice load. 4th respondent has decided to verify the stocks transported by shops at Tippareddygudem and Jakkepally and noticed that the dealer has kept the rice in the gunny bags in lieu of PDS rice diverted by him. In those circumstances, the order of suspension was issued by the 3rd respondent. Challenging the same, the present writ petition is filed.

2. In view of allegation of replacement of rice in lieu of PDS rice, which was alleged to have been diverted, this Court is not inclined to interfere with the enquiry at this stage. Since show cause notice was issued on 30-07-2015, the petitioner is at liberty to submit his explanation within 7 days from the date of receipt of a copy of this order. After receipt of explanation, the 3rd respondent shall conduct enquiry after giving due opportunity to the petitioner and pass final orders thereon within 30 days thereafter.

3. Accordingly, the writ petition is disposed of. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

DATED: 25-08-2015