

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

WRIT PETITION NO.23851 OF 2015

Between:

Nunna Venkata Ramanujaiah.

...PETITIONER

AND

1 .The State of Andhra Pradesh, rep.by its Principal Secretary, Civil Supplies Department, A.P.Secretariat, Hyderabad and two others.

...RESPONDENTS

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DATE OF JUDGMENT PRONOUNCED: 10.08.2015

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SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? Yes/No

2. Whether the copies of judgment may be
marked to Law Reporters/Journals? Yes/No

3. Whether Their Lordship wish to see the
fair copy of the Judgment? Yes/No

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NO.23851 OF 2015

ORDER:

The petitioner was appointed as Fair Price Shop dealer of Shop No.14, Swarna Village, Karamchedu Mandal, Prakasam District, on regular basis. The petitioner was supplied with essential commodities for the month of June 2015. Thereafter, the shop was inspected on 04.06.2015 based on which a report was submitted to the second respondent. The second respondent issued a show cause notice to the petitioner on 11.06.2015. The second respondent directed the petitioner to submit his explanation and gave an opportunity to appear before him on 22.06.2015. The petitioner appeared before the second respondent on 22.06.2015 along with a Counsel and requested supply of copies of panchanama dated 04.06.2015 and report of the Food Inspector dated 07.06.2015. However, without supplying the said copies, the authorization of the petitioner was suspended on 01.07.2015. Challenging the same, the present Writ Petition is filed.

Learned counsel for the petitioner submits that without giving proper opportunity to the petitioner, his authorization was suspended.

This Court held that suspension of authorization pending hearing is within the purview of the second respondent. But the second respondent should conduct a proper enquiry by giving due opportunity to the petitioner before taking final action against the petitioner. The petitioner requested for certain documentary evidence i.e., copies of panchanama dated 04.06.2015 and report of the Food Inspector dated 07.06.2015. The petitioner himself states that copy of panchanama dated

04.06.2015 was furnished to him and copy of report dated 07.06.2015 was not furnished.

In the circumstances, the second respondent shall furnish a copy of the report dated 07.06.2015 alleged to have not been received by the petitioner and afford the petitioner an opportunity to peruse the records available with him during the course of enquiry and hear the petitioner at the time of conducting enquiry in respect of allegations levelled against him. The second respondent shall complete the enquiry, after affording due opportunity to the petitioner, within a period of 60 days from the date of receipt of a copy of this order and pass final orders thereof.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(A.RAMALINGESWARA RAO, J)

10th August 2015

Note: Issue CC by three days

B/O

RRB