

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—
WRIT PETITION No.26042 of 2015

ORDER:

The petitioner was appointed as a fair price shop dealer of shop No.7, Pulipadu Village, Gurajala Mandal in Guntur District. The authorisation of the petitioner is in force. While so, on 09.06.2015, the Deputy Tahsildar Civil Supplies along with witnesses inspected the shop and conducted panchanama. The case of the petitioner is that his signatures were taken on white paper. However, a show cause notice was issued to the petitioner on 25.06.2015 by the fourth respondent and the petitioner submitted his explanation on 27.06.2015. After receiving the explanation from the petitioner, an order of suspension of authorisation was passed on 23.07.2015. Challenging the same, the present Writ Petition is filed.

A perusal of the impugned order shows that there is only one charge against the petitioner relating to the variation in the quantity of PDS rice (excess) to the extent of 1.47 quintals. The said charge is vague and it does not give any details in respect of the charge alleged against the petitioner. In the circumstances, this Court is satisfied that the power of suspension was not exercised properly.

In view of the above, the impugned order dated 23.07.2015, to the extent of suspending the authorisation of the petitioner, is set aside and the fourth respondent is directed to conduct the enquiry in respect of the charge alleged against the petitioner and complete the same within a period of three months from the date of receipt of a copy of this order by giving due opportunity to the petitioner.

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

07.09.2015
vs

(A.RAMALINGESWARA RAO, J)