

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—
WRIT PETITION No.21649 of 2015

ORDER:

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

2. The petitioner is a permanent fair price shop dealer of shop No.155 of Kurnool City. The authorization of the petitioner is subsisting as on today. While so, the fourth respondent submitted a report on 17.03.2015, and based on the same, the third respondent passed an order on 18.05.2015 suspending the authorization of the petitioner. Challenging the said order, the present Writ Petition is filed.

3. The learned counsel for the petitioner submits that there was variation of 2.96 quintals of PDS rice against the stock of 159 quintals and the variation is within the norms and there is no other allegation against the petitioner. He further submits that though the third respondent issued a show cause notice on 16.03.2015, the suspension of the authorization is unwarranted in the facts of the case.

3. I have carefully perused the impugned order of suspension and I am of the opinion that the allegation against the petitioner has not warranted suspension of the authorization.

4. In the circumstances, the Writ Petition is allowed setting aside the impugned order of the third respondent dated 18.05.2015. But, however, the third respondent is at liberty to conduct an enquiry in respect of the allegation leveled against the petitioner by giving due opportunity to the petitioner and complete the same within a period of three months from the date of receipt of a copy of this order. No order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

Date: 14.07.2015

TJMR