

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.26728 of 2015

ORDER:

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

2. The petitioner was appointed as a fair price shop dealer of shop No.15 of Gangavaram Village, Inkollu Mandal, Prakasam District. While so, on 19.10.2010, the Enforcement Deputy Tahsildar, Parchuru, Prakasam District inspected the shop of the petitioner and found some variations. On the basis of the report submitted by the said officer, the authorization of the petitioner was suspended by the third respondent by his proceedings dated 28.10.2010. Thereafter, for the last five years, the enquiry was not completed and final orders have not been passed by the third respondent. Challenging the inaction of the third respondent, the present writ petition is filed.

3. The third respondent should have completed the enquiry in respect of the allegations leveled against the petitioner within three months from the date of order of suspension, but he has not completed the enquiry even after lapse of five years. When this matter was examined on 24.08.2015, the learned Government Pleader was instructed to submit to this Court that against order of suspension, whether the petitioner filed any appeal. Even otherwise also, the pendency of any appeal cannot be a ground for non-completion of the enquiry against the petitioner and the suspension of the petitioner should not have been continued indefinitely.

4. In the circumstances, the writ petition is disposed of directing the third respondent to conduct an enquiry in respect of the allegations leveled against the petitioner and complete the same, within a period of 30 days from the date of receipt of a copy of this order, by giving due opportunity to the petitioner. No order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

Date: 07.09.2015

Note: Issue CC in three days.

B/o. TJMR