

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NO.26896 OF 2015

ORDER:

The petitioner was appointed as Fair Price Shop dealer of Shop No.15 of Konapalem village, Nizampatnam Mandal, Guntur District. While so, some of the villagers of the petitioner gave a complaint against the petitioner on 27-10-2014 to the local political leaders and Hon'ble Minister for Civil Supplies. On receipt of the said complaint, 3rd respondent issued a memo on 19-01-2015 for seizing the stock and later on handed over the shop to the petitioner. On the report of the Tahsildar, dated 24-12-2014. 2nd respondent issued show cause notice on 30-06-2015 i.e., after six months of the report of the Tahsildar and the petitioner submitted his explanation on 09-07-2015. Ultimately, the authorization of the petitioner was suspended by the 2nd respondent on 31-07-2015. Challenging the same, the petitioner filed appeal before the 1st respondent. The present writ petition is filed challenging the order of suspension, dated 31-07-2015.

2. This Court carefully perused the suspension order, which was mainly based on two allegations, namely the petitioner entered the names of the dead persons in the sale register showing that the commodities were distributed to them and non distribution of commodities to the 16 card holders. However, a perusal of the show cause notice reveals that no such specific charges were framed against the petitioner and the charges are totally vague. In the face of the vague charges, the petitioner submitted a vague explanation. In view of the above action of the 2nd respondent, this Court is constrained to set aside the suspension order, dated 31-07-2015 passed by the 2nd respondent pursuant to the report of the 3rd respondent, dated 24-12-2014. However, this order will not prevent the 2nd respondent from issuing clear and appropriate charges to the petitioner, if he finds that there are any irregularities.

3. Accordingly, the writ petition is allowed at the stage of admission. 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

Hsd