

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.7134 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies appearing for respondents 1 to 3.

This Writ Petition is filed seeking to declare the action of the 2nd respondent in passing the impugned order dated 12.3.2015, as arbitrary and illegal.

The petitioner is the dealer of fair price shop No.1, Rolugunta Village, Narsipatnam, Visakhapatnam District. While so, as per the direction of the 3rd respondent, the Mandal Revenue Inspector, conducted raid, found variation in the stock and submitted report. Based on the said report, the 3rd respondent *vide* proceedings dated 6.2.2015 seized the said fair price shop and kept the stocks under distribution of the dealer of fair price shop No.30.3, who was appointed in-charge dealer.

Learned counsel appearing for the petitioner submits that the impugned order of suspension has not been passed by the appointing authority.

A perusal of the impugned order goes to show that initially, the 3rd respondent passed the order on 6.2.2015 and subsequently, it was ratified by the 2nd respondent- Revenue Divisional Officer, Narsipatnam.

Having regard to the facts and circumstances of the case, the Writ Petition is disposed of suspending the impugned order dated 12.3.2015. However, the 2nd respondent-Revenue Divisional Officer, who is the appointing authority, can make regular enquiry and pass appropriate orders. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R. KANTHA RAO

19th March, 2015
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