

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.22157 of 2015

ORDER:

The petitioner was appointed as fair price shop dealer of shop No. 45 of Ballipalli Village, Kanigiri Mandal, Prakasam District on permanent basis. He received the essential commodities for the month of May, 2015. While so, on 12.05.2015 the fifth respondent-Enforcement Deputy Tahsildar, Kanigiri, along with staff inspected the shop. He found some variation in the stock. Based on the same, the second respondent-Revenue Divisional Officer, Kandukuru, issued a show cause notice on 23.05.2015 making four allegations against the petitioner.

The case of the petitioner is that he was given only a show cause notice without enclosing copy of the report. In those circumstances, he filed a petition before the second respondent on 23.06.2015 requesting him to furnish the report of fifth respondent. However, the second respondent without furnishing the report of fifth respondent suspended his authorization, by order, dated 02.07.2015. Challenging the said order, the present writ petition is filed.

A perusal of the impugned order of suspension would show that the report of the fifth respondent dated 14.05.2015 was enclosed to the show cause notice and in spite of the same, in order to drag on the proceedings, the petitioner asked for the said report without furnishing any explanation.

In view of the statement made in the impugned order by the second respondent, this Court is not inclined to accept the allegation of the petitioner that no report was enclosed to the show cause notice. However, the petitioner is given liberty to peruse the copy of report of fifth respondent in the office of the second respondent before submitting his explanation if he has not received already. The petitioner is further given liberty to submit his explanation within 15 days from the date of

receipt a copy of this order. The second respondent is directed to complete the enquiry within 30 days thereafter by following principles of natural justice and the binding decisions by this Court.

With the above directions, the writ petition is disposed of. Miscellaneous Petitions, if any pending in this writ petition, shall stand closed. No order as to costs.

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A. RAMALINGESWARA RAO, J

Date: 17.07.2015

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