

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 21882 of 2015

DATED 15th July, 2015

BETWEEN

V.Akkaiah

...Petitioner

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Civil supplies Department, Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 21882 of 2015.

ORDER:

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Heard learned Counsel for the petitioner and learned Government Pleader for the respondents.

The petitioner was appointed as Fair Price Shop Dealer for Shop No. 24 of Cherlagudipadu village, Gurajala Mandal, Guntur District and his authorization is valid up to 31.3.2016. While so, a criminal was registered against one Boggavarapu Gopala Krishna Murthy who discloses the name of the petitioner at the time of seizing the stock from him. Based on the same, a show cause notice was issued to the petitioner on 27.5.2015. The petitioner submitted his explanation on 4.6.2015 stating that he has nothing to do with the said illegal transportation of kerosene oil. He further stated that the available kerosene oil is

recorded in the records and the same was verified and found to be correct. However, the impugned order of suspension of authorization of the petitioner was passed on 27.6.2015. Challenging the same, the present Writ Petition is filed.

This Court carefully perused the impugned order dated 27.6.2015. The said order was passed on the ground that during the revenue enquiry in the village, the cardholders stated that the dealer was not distributing the essential commodities including the kerosene oil and diverted the kerosene oil to black market for his personal gains. The impugned order further states that the delinquent dealer has not distributed the PDS kerosene oil to the card holders properly. However, the FIR shows the name of the petitioner as one of the accused in the case relating to the illegal transport of kerosene oil. In those circumstances, the impugned order of suspension of authorization was passed.

Since the petitioner was involved in a criminal case relating to the essential commodities, this Court is not inclined to suspend the impugned order, but directs the second respondent to complete the enquiry by giving due opportunity to the petitioner and pass final order thereon, within a period of thirty days from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

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JUSTICE A.RAMALINGESWARA RAO

Dated 15th July, 2015.

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