

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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WRIT PETITION No.24430 OF 2015

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Between:

Y.Satyanarayana.

.. Petitioner

And

The State of Andhra Pradesh,
Rep. by its District Collector, (C.S.Wing), Prakasam District, Ongole
and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 05-08-2015

SUBMITTED FOR APPROVAL:

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.24430 of 2015

ORDER:

The petitioner is stated to be a resident of Baduguleru Village, Kanigiri Mandal, Prakasam District. He was appointed as a permanent fair price shop dealer of shop No.2, Baduguleru Village. The petitioner was issued a show cause notice dated 25.05.2015 alleging four charges and gave seven days time to the petitioner to submit his explanation. Instead of submitting explanation, the petitioner submitted a letter on 01.06.2015 seeking some information for filing a detailed explanation. Again, another notice was issued to the petitioner on 19.06.2015. The petitioner repeated the request for furnishing information on 26.06.2015. Thereafter, the authorization of the petitioner was suspended on 02.07.2015 on the ground that the petitioner was dodging the matter. Challenging the same, the present Writ Petition is filed.

From the above facts, it is clear that the Enforcement Deputy Tahsildar, Kanigiri, submitted a report dated 18.03.2015, based on which four charges were levelled against the petitioner. The petitioner was asked to submit his explanation within seven days. At that stage, the second respondent did not think it fit to suspend the authorization. Thereafter, the petitioner asked for some information in order to submit a detailed explanation and the second respondent thought that the petitioner was adopting dilatory tactics, and suspended the authorization of the petitioner. The second respondent did not think it fit to suspend the authorization of the petitioner on 25.05.2015. There are no other circumstances warranting suspension of authorization of the

petitioner except coming to the conclusion that the petitioner was dodging the matter since the petitioner asked the information to submit a detailed explanation.

In the circumstances this Court feels that it is a fit case for setting aside the impugned order dated 02.07.2015. However, the second respondent is directed to furnish information to the petitioner within a period of one week from the date of receipt of a copy of this order, and the petitioner shall submit his explanation within fifteen days thereafter. After receipt of explanation from the petitioner, the second respondent shall conduct an enquiry, and pass final orders, within a period of thirty days therefrom.

The Writ Petition is, accordingly, disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:05.08.2015

Note:CC one week

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