

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

* * * *

WRIT PETITION No.24948 OF 2015

—
—

Between:

G.Srinivasulu.

.. Petitioner

And

The State of Andhra Pradesh,
Rep. by its Secretary to Government, Civil Supplies Dept, Secretariat,
Hyderabad and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 10.08.2015

SUBMITTED FOR APPROVAL:

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

- | | |
|---|--------|
| 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.24948 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned

Government Pleader for Civil Supplies. The Writ Petition is being disposed of at the stage of admission with the consent of parties.

The petitioner was appointed as a fair price shop dealer of shop No.28, Balijapalem Village, Kandukur Mandal, Prakasam District. While so, the shop of the petitioner was inspected on 08.05.2015 and noticed some variation in the quantity of PDS rice, sugar and kerosene. Based on the report of the Deputy Tahsildar dated 09.05.2015, a show cause notice was issued to the petitioner 20.05.2015, and the petitioner submitted his explanation on 28.05.2015. After receipt of explanation, the third respondent passed the impugned order dated 20.07.2015 suspending the authorization of the petitioner. Though the petitioner filed an appeal, along with a stay petition, to the second respondent against the said order, the order of suspension itself is challenged and canvassed in the present Writ Petition.

Three allegations are levelled against the petitioner, which include minor allegation of not displaying the price board in the shop. The other two allegations relate to variation in the quantity of PDS rice and kerosene. The variation in PDS rice is within the permissible limit, whereas, in respect of kerosene, it is stated that there is variation of 20 lts. The petitioner already submitted his explanation on 28.05.2015, and the enquiry is pending.

Learned counsel for the petitioner submits that the impugned order does not indicate whether the suspension is pending enquiry or as a matter of substantive punishment.

As the impugned order does not indicate anything with regard to that, the impugned order dated 20.07.2015, passed by the third respondent, to the extent of suspending the authorization of the petitioner, is suspended and the third respondent is directed to complete the enquiry, after giving due opportunity to the

petitioner, within a period of thirty days from the date of receipt of a copy of the order.

The Writ Petition is allowed to the extent indicated above.

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

A. RAMALINGESWARA RAO,J

Date:10.08.2015

Note:CC two days

bo

usd

