

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 17093 of 2015

DATED 16TH JUNE, 2015

BETWEEN

A.S. Prakash Rao

...Petitioner

And

The State of Andhra Pradesh,

Rep. by its Prl.Secretary,

Civil Supplies Department,

Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 17093 of 2015

ORDER:

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

The petitioner is a permanent Fair Price Shop Dealer of Shop No. 1 of Vizianagaram Mandal & District. While so, the Deputy Tahsildar conducted an enquiry with regard to bogus cards and found that 45 bogus cards are existing in the said fair price shop. Based on the report of the Dy.Tahsildar, the third respondent suspended the authorization of the petitioner by order dated 7.12.2011. Against the said order of suspension, the petitioner preferred an appeal to the Joint Collector, who disposed of the same after four years confirming the order of the third respondent by order dated 4.6.2015. Challenging the order of the second respondent dated 4.6.2015, the present Writ petition is filed.

The third respondent should have conducted a regular enquiry and completed the same within a period of 90 days from the date of passing the order dated 7.12.2011 though appeal is pending against the said order. But unfortunately, in the instant case, order of suspension pending enquiry continued for four years and ultimately the said order of the second respondent dated 7.12.2011 was confirmed by the second respondent. Pending enquiry, interim arrangement has been made from 7.12.2011 onwards. In view of the same, this Court is not inclined to interfere with the said arrangement. However, the third respondent is directed to complete the enquiry with regard to the allegations levelled against the petitioner and pass final order by duly observing principles of natural justice within a period of two months 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 16TH JUNE, 2015.

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