

**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.22596 OF 2015

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Between:

M.Mallaiah.

.. Petitioner

And

The State of Andhra Pradesh,
Rep. by its Ex-Officer, Secretary to Government, Department of Civil
Supplies, Secretariat, Hyderabad and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 22-07-2015

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. 22596 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.7, Tarimela Village, Anantapur District. While so, a show cause notice was issued to the petitioner on 29.05.2015 levelling six charges, including the charge relating to variation of stock and price. The other charges are technical in nature. The petitioner submitted his explanation on 03.06.2015. Having not satisfied with the said explanation, the third respondent passed an order on 09.06.2015 suspending the authorization, pending enquiry. Challenging the same, the present Writ Petition is filed.

This Court finds that the variation in respect of price is marginal when compared to the total stock. The other allegations are with regard to the dealer not distributing the essential commodities to the card holders on the working days, issuing commodities with less weighment, including supply of less quantity, not exhibiting stock-cum-sales board and using unparliamentary language with the card holders.

In the affidavit filed in support of the Writ Petition, the petitioner did not indicate whether the authorization of the petitioner was renewed after expiry on 31.03.2015. On the other hand, the impugned order shows that the petitioner was removed from dealership on 16.05.2015.

In the circumstances, if the authorisation of the petitioner is in force as on today, the dealership of the petitioner shall be

restored. The third respondent shall conduct an enquiry in respect of the allegations against the petitioner, and complete the same, by giving due opportunity to the petitioner, within a period of three months from the date of receipt of a copy of this order.

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:22.07.2015
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