

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition Nos.14372 and 15633 of 2015

COMMON ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Civil Supplies for the respondents.

With the consent of both the parties appearing before this Court, both the writ petitions are being disposed of by this common order.

The petitioners are fair price shop dealers of shop No.32 of Thummalapalem Village, and shop No.29 of Vangipuram Village of Prathipadu Mandal, Guntur District respectively. The Government announced a programme on the eve of Sankranthi Festival in the month of January, 2015 for distribution of six items of essential commodities to all the cardholders of below poverty line under the name of "Chandranna Sankranthi Kanuka". It appears that basing on the report of the Tahsildar, Prathipadu Mandal, the impugned orders were passed by the third respondent-Joint Collector, Guntur on 24.04.2015 suspending the authorization of the petitioners on the ground that shortage was found in respect of three commodities. Challenging the said orders, these writ petitions are filed.

This Court perused the orders passed by the third respondent on 24.04.2015 and noticed that the so-called variation found is less than 100 grams. In the circumstances, the suspension of authorization is not warranted on such minor variation. In view of the same, this Court feels that the third respondent has not properly exercised his power of discretion and accordingly, the orders passed by the third respondent on 24.04.2015 suspending the authorization of petitioners in both the writ petitions are set aside. However, the third respondent is at liberty to conduct enquiry against the petitioners after following principles of natural justice and shall pass appropriate orders, within a period of three months from the date of receipt of a

copy of this Court.

With the above direction, both the writ petitions are disposed of. Miscellaneous Petitions, if any, pending in these writ petitions shall stand closed. There shall be no order as to costs.

A.

RAMALINGESWARA RAO, J)

Date: 12.06.2015

Note: Issue CC in three days.

(B/o.) Isn

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition Nos.14372 and 15633 of 2015

—

—

—

—

—

—

—

—

—

—

—

—

—

-
-

Note: Issue CC in three days.

Isn

Date: 12.06.2015