

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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WRIT PETITION No.32551 of 2015

ORDER:

The petitioner was appointed as a Fair Price Shop dealer of Shop No.2, Appalayagunta Village, Vadamalapeta mandal, Chittoor District. The Vigilance and Enforcement Officials inspected the shop of the petitioner and a Panchnama was conducted in respect of the variation in quantities, and they submitted a report to the third respondent on 08.09.2015. Basing on which, the authorization of the petitioner was suspended on 29.09.2015. Challenging the same, the present writ petition is filed.

The impugned order of suspension shows that there were variations in the quantity of 1.65 quintals of PDS rice, 0.01 quintals of sugar and 4.00 litres less quantity of Kerosene Oil. Except in the case of PDS rice, the other quantities are minor variations only. The enquiry is yet to be completed by issuing show cause notice.

At this stage, the suspension of authorization of the petitioner is not warranted as the variations in quantity can be verified from the records and there is no possibility of manipulating the same.

In the above circumstances, the impugned order of suspension of authorization passed on 29.09.2015 is set aside, by giving opportunity to the second respondent to take up the disciplinary proceedings and complete the same within a period of three (3) months from the date of receipt of a copy of this order by giving due opportunity to the petitioner.

Accordingly, this Writ Petition is allowed to the extent as indicated above. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

A. RAMALINGESWARA RAO,J

06.10.2015

MVA

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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Date: 06.10.2015

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MVA