

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.30383 of 2015

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ORDER:

The petitioner was appointed as a Fair Price Shop dealer of Shop No.16, Jowkulakothapalli Village, Amadagur Mandal, Anantapuram District. The authorisation of the petitioner was suspended by order dated 01.04.2015 and five charges were framed against the petitioner. The petitioner submitted a written explanation on 04.07.2015 and after receipt of the same the authorisation of the petitioner was cancelled by order dated 31.07.2015. Challenging the same, the present writ petition is filed.

A perusal of the impugned order shows that five charges were framed against the petitioner and the petitioner submitted his explanation. After considering the explanation, findings were recorded in respect of each charge without conducting any enquiry. The second respondent ought to have conducted an enquiry when the petitioner denied the charges.

In the circumstances, the impugned order of cancellation dated 31.07.2015 is set aside, and the matter is remanded to the second respondent for conducting an enquiry in respect of the charges levelled against the petitioner by giving due opportunity to the petitioner and pass final orders thereon within a period of thirty (30) days from the date of receipt of a copy of this order.

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

05.10.2015

MVA

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MVA