

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.21400 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies and, with their consent, the Writ Petition is being disposed of at the admission stage.

The petitioner was appointed as a fair price shop dealer of F.P.Shop No.23, Ratnampeta, Rolugunta Mandal, Narsipatnam, Visakhapatnam District. While so, a villager of Ratnampeta submitted a complaint to the Tahsildar, Rolugunta Mandal, against the dealer, and the Tahsildar submitted his report on 03.07.2013 with regard to the allegation made by the said villager. Based on the said report, the authorization of the petitioner was cancelled temporarily by the second respondent through order dated 04.07.2015. Challenging the same, the present Writ Petition is filed.

A perusal of the impugned order shows that it contains two tables. Table – I indicates the difference in quantity. It is not known what table – II indicates. Be that as it may, since the quantity mentioned in table – I, except in relation to redgram, is marginal, this Court is inclined to set aside the order dated 04.07.2015, temporarily cancelling the authorization, till the conclusion of enquiry. The order also does not disclose whether cancellation of authorization is pending enquiry or not.

Learned counsel for the petitioner submits that no show cause notice was issued till date. However, setting aside the order dated 04.07.2015, to the extent of cancelling the authorization temporarily, does not prevent the second

respondent from conducting an enquiry, and completing the same, in accordance with law, 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 allowed to the extent indicated above.

As a sequel thereto, miscellaneous applications, if any, also stand disposed of. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:13.07.2015
usd