

**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.26452 of 2015

Between:

Runku Punyavathi.

....Petitioner

and

The State of Andhra Pradesh,
Rep.by its Principal Secretary, Civil Supplies,
Secretariat Buildings,
A.P.Secretariat, Hyderabad,
And others.

....Respondents

DATE OF JUDGMENT PRONOUNCED: 20.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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|----|--|--------|
| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2. | Whether the copies of judgment may be Marked to Law Reporters/Journals? | Yes/No |
| 3. | Whether His Lordship wishes to see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.26452 of 2015

ORDER:

The petitioner was appointed as a fair price shop dealer of shop No.59, Hamsarali Village, Mandasa Mandal in Srikakulam District. The Mandal Revenue Inspector inspected the shop and submitted a report to the fourth respondent, who in turn sent a report to the third respondent on 26.06.2015, based on which a show cause notice was issued to the petitioner on 04.07.2015. The petitioner submitted her explanation on

27.07.2015, and when the petitioner's authorization was suspended on 30.07.2015, she filed an appeal to the second respondent along with a stay petition on 11.08.2015. When no orders were passed on the stay petition, the present Writ Petition is filed.

Learned Counsel for the petitioner brought to the notice of this Court the order of suspension dated 30.07.2015. This Court perused the charges leveled against the petitioner, which are six in number, apart from the allegation of not maintaining the record properly. This Court noticed that the following charges are as vague as possible.

- "2. The F.P.Shop dealer is also misutilizing the PDS rice relating to 22 married persons.
3. The F.P.Shop dealer is distributing 30 kg of rice instead of 35 kg to AAY card holders.
4. The MRI observed that there is short weighment from 3 to 4 kg of rice.
5. The F.P.Shop dealer never shown closing balance to the undistributed stocks except for the months of May-2015 and June 2015.
6. The F.P.Shop dealer is distributing 1½ ltr. of PDS K.Oil instead of 2 ltr. "

It is very difficult for anyone to identify the 22 married persons mentioned in the charge and the cardholders for whom 30 kgs of rice was distributed instead of 35 kgs. Similarly, the other allegations are also vague.

In the circumstances, this Writ Petition is disposed of directing the third respondent to issue appropriate show cause notice giving clear details of the charges leveled against the petitioner, and the petitioner shall be asked to submit her explanation by giving reasonable opportunity. Thereafter, an enquiry has to be conducted by the third respondent. The said process shall be completed within a period of two months from the date of receipt of a copy of this order. In view of the disposal of the present Writ Petition, the appeal before the second

respondent becomes infructuous.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

20.08.2015

vs