

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 20573 of 2015

DATED 7th July, 2015

BETWEEN

Smt. Naveena

...Petitioner

And

The State of Telangana,
Food, Agriculture and Cooperation Department,
Rep. by its Principal Secretary, Secretariat,
Hyderabad and ors.

,.....Respondents.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 20573 of 2015

ORDER:

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Heard learned Counsel for the petitioner and learned Government Pleader for the respondents.

The petitioner is the resident of Machavaram village, Medak Mandal and District. She was appointed as Fair Price Shop Dealer in the Machavaram village. While so, the Deputy Tahsildar (Civil Supplies) Medak along with his staff visited the shop of the petitioner and could not find any variations. However, based on the report submitted by the Deputy Tahsildar (Civil Supplies) that the Fair Price Shop is being run by a banami, the second respondent issued show cause notice on 12.5.2015. The petitioner submitted her explanation. Being not satisfied with the said explanation, the second respondent

by order dated 23.6.2015 suspended the authorization of the petitioner. Challenging the said order of the second respondent dated 23.6.2015, the present Writ Petition is filed.

Having perused the material on record, this Court prima facie satisfied that whether the shop is being run by the benami person or the authorized dealer can be verified even without suspending the authorization. In these circumstances, the impugned order dated 23.6.2015 issued by the second respondent is set aside to the extent of suspending the authorization of the petitioner. However, the second respondent is at liberty to conduct an enquiry with regard to conduct of the fair price shop in question by the benami person as alleged against the petitioner in the impugned proceedings dated 23.6.2015. The second respondent is directed to complete the enquiry within three months from the date of receipt of a copy of this order by duly observing the principles of natural justice and in accordance with law.

The Writ Petition is allowed to the extent indicated above. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

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JUSTICE A.RAMALINGESWARA RAO

Dated 7th July, 2015.
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