

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 16191 OF 2015

DATED 10TH JUNE, 2015

BETWEEN

Smt.G.Rola Rani

...Petitioner

And

The State of Telangana,

Rep. by its Secretary,

Consumer Affairs, Food and Civil Supplies (CS.)

Department, Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 16191 of 2015

ORDER:

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

The petitioner was appointed as a Fair Price Shop Dealer of Shop No. 21 of Muthangi Village, Patancheru Mandal, Medak District in the year 2011. Based on the report of the Assistant Supply Officer, Sanga Reddy, dated 22.5.2015, the second respondent issued show cause notice on 3.6.2015 framing four charges against the petitioner. It appears that pursuant to the same, 6-A proceedings are pending., The second respondent in exercise of powers vested in him under Clause 2 (x) of the APSPDS(Control) Order, 2008 suspended the authorization of the petitioner. Challenging the same, the present Writ Petition is filed.

The learned Counsel for the petitioner submits that since no period of suspension has been mentioned in the impugned order, the same is bad in view of the decision of this Court in *Boya Chennappa Vs. Revenue Divisional Officer, Adoni, Kurnool District* { 2013 (1) ALT 265}

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A reading of the impugned order shows that no explanation of the petitioner is called for. The said order was passed based on the report of the Assistant Supply Officer, Sanga Reddy and Deputy Tahsildar (Civil Supplies) Patancheru. In the absence of issuance of show cause notice, it has to be construed that the impugned order dated 3.6.2015 is an order of suspension pending enquiry and in fact the impugned order shows that three charges are pending against the petitioner. In these facts and circumstances of the case, this Court is not inclined to interfere with the impugned order merely on the ground that the period of suspension was not mentioned therein.

However, the petitioner is given opportunity to submit his explanation within a period of fifteen days from the date of receipt of a copy of this order and on receipt of said explanation, the second respondent is directed to complete the enquiry in accordance with law within a period of thirty days thereafter duly observing the principles of natural justice.

The Writ Petition is accordingly disposed of. 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 10TH JUNE, 2015.
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