

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.9580 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies appearing for respondents 1 to 4.

This Writ Petition is filed seeking to declare the action of the 3rd respondent in suspending the authorization of the petitioner *vide* proceedings dated 27.03.2015, as arbitrary and illegal.

Petitioner is the dealer of fair price shop No.22, Molagavalli Village, Alur Mandal, Kurnool District. Based on the report submitted by the Assistant Supply Officer, show cause notice dated 16.3.2015, was issued to the petitioner, for which, the petitioner submitted his explanation. Without considering the same, the 3rd respondent *vide* impugned proceedings dated 27.3.2015 suspended the authorization of the petitioner.

Learned counsel appearing for the petitioner submits that the irregularities alleged to have been pointed out by the respondent authorities relate to maintenance of the records.

It is settled legal proposition that the order of suspension, which is premature in nature, shall not be passed by the respondent-authorities in a mechanical way basing on the allegations levelled against the petitioner. Having regard to the nature of the allegations levelled against the petitioner, this Court is of the view that the order of suspension ought not to have been passed by the Revenue Divisional Officer.

Therefore, the impugned order dated 27.3.2015 passed by

the 3rd respondent is set aside and the Writ Petition is allowed accordingly. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R. KANTHA RAO

7th April, 2015

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