

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.35354 of 2015

ORDER:

Heard the learned counsel for petitioner and the learned Government Pleader for Civil Supplies for respondents 1 to 3.

2. The petitioner is a permanent fair price shop dealer of shop No.31 of N.Thimmapuram village, Vidapanakal Mandal, Kurnool District. Based on the report of the third respondent dated 15.09.2015, the second respondent issued a show cause notice to the petitioner on 23.09.2015 and the petitioner submitted his explanation on 29.09.2015. After receiving the explanation, the second respondent, by his proceedings dated 05.10.2015, suspended the authorization of the petitioner by framing six charges against the petitioner. Challenging the same, the present Writ Petition is filed.

3. Learned counsel for the petitioner submitted that a perusal of the impugned order shows that the second respondent already came to the conclusion that charges 1 to 3 are proved and charges 4 to 6 are minor charges. Though this is a suspension pending enquiry, the second respondent virtually passed a final order.

4. Though there is some justification in the contention raised by the learned counsel for the petitioner, by a reading of the order passed by the second respondent, I am of the opinion that the second respondent came to a *prima facie* conclusion in respect of charges 1 to 3, though they clearly express, that those charges were proved. The second respondent had to conduct an enquiry, and in view of the nature of charges, this Court is not inclined to interfere with the enquiry process at this stage.

5. In the circumstances, the Writ Petition is disposed of directing the second respondent to conduct an enquiry in respect of the allegations

leveled against the petitioner by giving due opportunity to the petitioner and complete the same as expeditiously as possible, but not later than 31.12.2015. No order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 29.10.2015

TJMR