

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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WRIT PETITION No.15315 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The petitioner is a fair price shop dealer of F.P.Shop No.46, N.T.R. Nagar, Addanki Town and Mandal, Prakasam District, and he was appointed on permanent basis. While so, on 16.03.2015, the Additional Revenue Inspector, along with his staff, inspected the shop. Basing on the report given by the Additional Revenue Inspector, the Tahsildar, Addanki Mandal (fourth respondent) submitted a report to the Revenue Divisional Officer, Ongole (third respondent) on 17.03.2015 recommending suspension of authorization. The third respondent issued a show cause notice to the petitioner on 28.03.2015 levelling eight charges against him. The petitioner submitted his explanation on 20.04.2015. Ultimately, the third respondent issued proceedings on 15.05.2015 cancelling the authorisation held by the petitioner. Against the same, the petitioner preferred an appeal to the Joint Collector, Prakasam District (second respondent). In the appeal, he also filed a stay petition on 22.05.2015. When no orders were passed on the said stay petition, the present Writ Petition is filed.

Learned counsel for the petitioner submits that the order passed by the third respondent is *prima facie* irregular and contrary to the decision of this Court reported in **M.Kalyani v. District Collector, Prakasam District, Ongole** as no opportunity was given to him during the course of enquiry.

Be that as it may, in view of the pendency of appeal before the second respondent, along with a stay petition, this Court is not inclined to entertain this Writ Petition. The second respondent is directed to dispose of the stay petition filed by the petitioner on 22.05.2015 within a period of one week from the date of receipt of a copy of the order. The petitioner shall cooperate for disposal of the stay petition.

The Writ Petition is, accordingly, disposed of.

As a sequel thereto, miscellaneous applications, if any, also stand disposed of.

A. RAMALINGESWARA RAO,J

Date:02.06.2015

Note:CC tomorrow

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