

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 14210 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies. The Writ Petition is being disposed of at the stage of admission with the consent of parties.

The petitioner was appointed as a fair price shop dealer of shop No.2, Edara Village, Mundlamuru Mandal, Prakasam District on permanent basis. While so, on 02.08.2014, the Mandal Revenue Inspector, Mundlamur, along with his staff, inspected the shop and noticed certain irregularities. Based on the said report, a show cause notice was issued by the second respondent to the petitioner on 06.08.2014 directing to submit his explanation in respect of four charges. Though the petitioner asked for copies of documents, without furnishing the same, the second respondent issued proceedings dated 23.08.2014 suspending the authorization of the petitioner. Challenging the same, the petitioner filed an appeal, along with stay petition, before the Joint Collector on 12.09.2014. When no orders were passed by the Joint Collector, the petitioner preferred W.P.No.27931 of 2014, and this Court, by order dated 18.09.2014, disposed of the Writ Petition directing the Joint Collector to dispose of the appeal and, till such time, the order dated 23.08.2014 was suspended. While so, the petitioner received copy of the proceedings dated 04.10.2014, canceling the authorization of the petitioner, which was served on him on 29.10.2014. The petitioner challenged the same in W.P.No.33806 of 2014 and, on filing the Writ Petition, the second respondent realised the mistake and on issuing proceedings dated 25.11.2014, withdrawing the order of cancellation, this Court, by order dated 01.12.2014, closed the Writ Petition. However, the second respondent, by the impugned order dated 21.04.2015, cancelled the authorization of the petitioner without considering the explanation of the petitioner in proper perspective. Challenging the same, the present Writ Petition is filed.

This Court, by order dated 07.05.2015, suspended the impugned order, and the said order is in operation till today. Since the impugned order is a final

order passed by the second respondent, this Court is disinclined to go into the merits of the case.

Hence, the Writ Petition is disposed of giving liberty to the petitioner to file an appeal before the competent authority within a period of fifteen days from the date of receipt of a copy of this order, and the appellate authority shall consider, and pass appropriate orders, in accordance with law. Till the disposal of the appeal, interim suspension granted on 07.05.2015 shall continue.

The Writ Petition is, accordingly, disposed of at the stage of admission.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:18.06.2015

usd

