

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.9816 of 2015

ORDER:

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for Civil Supplies for the State of Andhra Pradesh.

2. This writ petition is filed seeking writ of *Mandamus* declaring the proceedings dated 20.03.2015 of the 3rd respondent in suspending the authorisation of the petitioner's fair price shop No.49 situated in Guddampalli Thanda Village, Mudigubba Mandal, Ananthapuramu District, as illegal and arbitrary.

3. The fair price shop of the petitioner was inspected by the Vigilance and Enforcement Team and noticed variation of 50 liters of kerosene oil in the stock. A show cause notice was issued to the petitioner and the petitioner submitted his explanation stating that while transporting the essential commodities, a can containing 50 liters of kerosene oil fell down from the bullock cart and broken and that he did not resort to commit any irregularity.

4. In any event, the explanation offered by the petitioner has to be substantiated during course of enquiry before the Revenue Divisional Officer. Since the order of suspension was passed pending enquiry, I am not inclined to examine the merits of the case. However, the Revenue Divisional Officer, Dharmavaram, Ananthapuramu district, is directed to complete the enquiry and pass final orders, after giving due opportunity of hearing to the petitioner, within a period of two months from the date of receipt of a copy of this order.

5. The writ petition is accordingly disposed of. Miscellaneous applications, if any, in this writ petition, shall stand closed. No order as to costs.

Date: 08.04.2015
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HON'BLE SRI JUSTICE R. KANTHA RAO

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Date: 08.04.2015

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