

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 20288 of 2015

DATED 6th July, 2015

BETWEEN

Smt. G.Parvathi

...Petitioner

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Food, Civil Supplies & Consumer Affairs Department,
Secretariat, Hyderabad and ors.

....Respondents.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 20288 of 2015.

ORDER:

-

Heard learned Counsel for the petitioner and learned Government Pleader for the respondents.

The petitioner was appointed as Fair Price Shop Dealer for shop No. 122-A (re numbered as 125) of Katarukonda village, Krishnagiri Mandal, Kurnool District on 26.3.2011. As per the petitioner, her authorization is subsisting as on today. On an earlier occasion, the third respondent suspended the authorization of the petitioner by order dated 5.7.2014 indefinitely. Challenging the same, the petitioner preferred an

appeal to the second respondent on 14.7.2014. When the second respondent did not pass orders, the petitioner filed Writ petition No. 21201 of 2014, which was allowed by this Court by order dated 28.7.2014 by directing the second respondent to dispose of the appeal preferred by the petitioner. Pursuant to the same, the second respondent disposed of the appeal remanding the matter to the third respondent to pass final order. Thereafter, without passing final order pursuant to the earlier show cause notice, the third respondent passed an order on 30.05.2015 suspending the authorization of the petitioner once again based on the report of the fourth respondent dated 18.5.2015. Challenging the order dated 30.5.2015, the present Writ Petition is filed.

It is clear from the narration of the events hereinabove, that earlier show cause noticed was issued on 6.2.2015 framing six charges against the petitioner, pursuant to which, an enquiry is pending against her. Earlier to it, against the order of the third respondent dated 5.7.2014 suspending the authorization indefinitely, the petitioner preferred an appeal before the second respondent, who remanded the matter to the third respondent by order dated 22.8.2014. Thereafter, no final orders have been passed by the third respondent. Now, the third respondent based on the report of the fourth respondent dated 18.5.2015, passed impugned order dated 30.5.2015 once again suspending the authorization of the petitioner by framing as many as eight charges afresh. In view of the nature of charges framed against the petitioner and in view of pendency of earlier enquiry, this Court is not inclined to interfere with the enquiry initiated pursuant to the impugned order at this stage.

However, in view of the fourteen charges framed against the petitioner pursuant to the earlier show cause notice dated 6.2.2015 and impugned order dated 30.5.2015, the petitioner is given liberty to submit her detailed explanation within a period of fifteen days from the date of receipt of a copy of this order and on receipt of the said explanation, the second respondent is directed to complete the enquiry and pass final order thereon, on merits, within a period of sixty days thereafter, by duly observing the principles of natural justice.

The Writ Petition is disposed of. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

-
-
-

JUSTICE A.RAMALINGESWARA RAO

Dated 6th July, 2015.
Msnr_x