

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.4217 of 2015

ORDER:

The petitioner was appointed as a Fair Price Shop dealer of Bhyri-II Village, Srikakulam Mandal and District. He applied for leave for six months in the month of July 2014. Consequent to the leave, alternative arrangements were made. The petitioner submitted a representation seeking her reinstatement as Fair Price Shop dealer as she became fit to run the shop after she underwent operation. The Tahsildar issued the proceedings on 11.01.2015 directing the petitioner to take demand draft for the month of February 2015 for releasing the stocks. While so, a show cause notice was issued on 15.12.2014, signed on 24.01.2015, stating that there is no provision for sanction of leave to the petitioner, who contravened the provisions of the Andhra Pradesh Public Distribution System (Control) Order-2008. Challenging the issuance of the show cause notice dated 15.12.2014, the present writ petition was filed.

This Court, while admitting the writ petition on 25.02.2015, granted interim direction. Now the counter affidavit is filed by the Tahsildar, Revenue Mandal, Srikakulam, stating that on the report submitted by the Tahsildar, consequent to the representation of the petitioner in December 2014 to the Revenue Divisional Officer, Srikakulam, he issued a show cause notice on 15.12.2014 for contravention of the provisions of the Control Order. The petitioner submitted her explanation on 20.02.2015 and also filed the present writ petition.

Since the petitioner had already submitted her explanation, the second respondent has to conduct an enquiry and pass final orders pursuant to the show cause notice dated 15.12.2014.

In view of the above, this Writ Petition is disposed of directing

the second respondent to consider the explanation submitted by the petitioner and pass final orders thereon after giving opportunity of hearing to the petitioner within a period of sixty (60) days from the date of receipt of a copy of this order. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

30.09.2015

MVA

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Date: 30.09.2015

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