

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.18113 of 2015

ORDER:

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

_____ The petitioner was appointed as fair price shop dealer of shop No.21 of Machavaram Village, Naguluppalapadu Mandal, Ongole District. While so, on the allegation of certain irregularities, the third respondent-Revenue Divisional Officer, Ongole, issued show cause notice to the petitioner on 18.11.2004 calling for his explanation. He submitted explanation to the third respondent on 10.12.2004 stating that from 01.11.2004 to 30.11.2004 he was under treatment at Indira Nursing Home and the same was informed to the fourth respondent-Tahsildar, Naguluppalapadu Mandal and that is why he has not taken the stock for the month of December, 2004. He submitted a representation to the second respondent-Joint Collector, Ongole on 18.12.2004. On the basis of which, the second respondent passed an order on 20.12.2004 directing the fourth respondent to accept the demand drafts and release the stock for the month of December, 2004.

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However, on 01.11.2004 the Additional Revenue Inspector inspected the shop of the petitioner and submitted a report to the fourth respondent, who in turn submitted a report to the third respondent on 15.12.2004. On the basis of the report of fourth respondent, the third respondent issued a show cause notice on 03.01.2005 to the petitioner calling for his explanation on the alleged irregularities. He submitted his explanation on 12.01.2005. Not satisfied with the explanation of the petitioner, the third respondent

passed orders in Rc.C/1667/2004, dated 17.01.2005 suspending the authorization of the petitioner.

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However, the enquiry is not yet completed and in those circumstances, the petitioner submitted a representation to the third respondent on 02.06.2014 and again on 21.01.2015 seeking a direction to the fourth respondent for release of stock. Aggrieved by the action of the third respondent in keeping the authorization of petitioner's fair price shop under suspension for enquiry since 17.01.2005, the present writ petition is filed.

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In view of the pendency of proceedings for more than one decade against the petitioner, this Court deems it fit to direct the third respondent-Revenue Divisional Officer, Ongole, to complete the enquiry and take necessary action by passing final orders pursuant to the show cause notice dated 03.01.2005, within a period of 60 days from the date of receipt of a copy of this order.

With the above directions, the writ petition is disposed of. Miscellaneous Petitions, if any pending in this writ petition shall stand closed. No order as to costs.

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A. RAMALINGESWARA RAO, J

Date: 10.07.2015

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