

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.32387 of 2015

ORDER:

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

2. The petitioner was appointed as a fair price shop dealer of shop No.28 of Reddipalle Village, Sanjamala Mandal, Kurnool District. It appears that the third respondent inspected the shop of the petitioner on 14.08.2015 and found some variation in the stock and he conducted a panchanama. For the variation in the stock, 6-A proceedings were initiated against the petitioner and they are pending before the fourth respondent. On the basis of the report of the third respondent, the authorization of the petitioner was suspended, by order of the second respondent dated 26.08.2015. Challenging the same, the present Writ Petition is filed.

3. A perusal of the panchanama shows that the stock position as on July, 2015 was taken into consideration, whereas in the impugned order of suspension, the stock that was received in May, 2015 was shown. The second respondent should have applied his mind before ordering suspension of authorization and he ought not to have simply relied on the recommendation of the third respondent. It appears that no show cause notice has been issued to the petitioner so far, even after expiry of one month.

4. In the circumstances, the impugned order of the second respondent dated 26.08.2015 is set aside and the Writ Petition is allowed. However, this will not prevent the second respondent from issuing a show cause notice to the petitioner in respect of allegations leveled against him. It is needless to observe that the second respondent must provide reasonable opportunity to the petitioner and conduct an enquiry before passing final orders thereon. No order

as to costs. Miscellaneous Petitions, if any pending, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 05.10.2015

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