

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

W.P.M.P.No.28838 of 2015

IN/AND

W.P.No.21166 of 2015

(On being mentioned)

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ORDER:

Order dated 10.07.2015 in W.P.No.21166 of 2015 was not properly drafted and it requires correction.

2. Since the Writ Petition itself was directed against the order of cancellation and the matter was remanded to the third respondent for conducting fresh enquiry, it is in the fitness of things that the order of cancellation should have been set aside. In that view of the matter, paras 3 and 4 of the order should be substituted as follows:

“The order passed by the third respondent reads as follows:

On the report of the Tahsildar, Gonegandla, the dealer has been issued a notice with a direction to attend personally before the Revenue Divisional Officer, Adoni for enquiry on 09.03.2015 with regard to the above noted irregularities. In response, the dealer has attended personally before the Revenue Divisional Officer and stated that she has distributed the entire stocks to the chardholders for the month of 2/2015 and no closing balance are available with him and informed that she has not committed any irregularities in distribution of ECs to the cardholders.

On verification of the acquaintances various are found. It shows that the dealer has not committed irregularities in distribution of ECs report by the Tahsildar.

As the irregularities are grave in nature, the F.P. Shop dealership authorization held by Smt.Sreevani, F.P. Shop dealer Shop No.9, Chinnanelatur Village, Gonegandla Mandal is hereby cancelled with immediate effect.

In view of the above, this Court is satisfied that no enquiry was conducted. Accordingly, the impugned order dated

11.03.2015 is set aside and the matter is remanded to the third respondent for conducting fresh enquiry after giving due opportunity to the petitioner and after observing principles of natural justice, within a period of 60 days from the date of receipt of a copy of this order.

The Writ Petition is accordingly allowed. No order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.”

3. The WPMP and Writ Petition are accordingly allowed.

A. RAMALINGESWARA RAO, J

Date: 31.08.2015

Note: The Registry is directed to communicate the revised order immediately.

B/o. TJMR