

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 16186 of 2015

DATED 10TH JUNE, 2015

BETWEEN

Smt.Gorle Ramalaxmi @ Kondapalli Ramalaxmi

....Petitioner

And

State of Andhra Pradesh,

Rep. by its Principal Secretary,

Consumer Affairs and civil Supplies (CS-1)

Department, Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 16186 of 2015.

ORDER:

-

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

The petitioner is a Fair Price Shop Dealer of Kondagudem Village, Santhakaviti Mandal, Srikakulam District. The authorization of the petitioner was valid up to 31.3.2016. While so, on 31.10.2014, the Deputy Tahsildar submitted a complaint to the second respondent, based on which, a show cause notice was issued on 10.11.2014 and on the same day, the authorization of the petitioner was suspended. Questioning the same, the petitioner filed Writ Petition No. 38076 of 2014 before this Court and when the said Writ Petition was pending consideration, the second respondent himself issued proceedings on 11.12.2014 dropping the charges levelled against the petitioner. Later on the said Writ Petition was dismissed on 18.12.2014 as having become infructuous. The third respondent again submitted a report to the second respondent on 16.04.2015 based on the inspection conducted by him on 4.4.2015. It appears that the said report is followed by another report dated 5.4.2015 of the Mandal Revenue Inspector-I. Based on these reports, the second respondent issued show cause notice dated 29.4.2015 framing three charges against the petitioner. Charge No.1 of the same reads as follows:

“Charge No.1: During the inspection, it was found shortage of PDS rice 0.08.5 Qtls in the original and thus the F.P. Shop dealer, Kondagudem village contravened the provision under Cl.7(i),17(a) (b)(c), 17(A) of APSPDS (Control) Order 2008 and Conditions under 8,9,12 and 14 of License issued under APSPDS (Control) order, 2008.”

The other charges are trivial in nature. Be that as it may, the second respondent issued another show cause notice by adding three more charges consequent upon the report submitted by the Tahsildar on 2.5.2015. Later on, the authorization of the petitioner was suspended vide proceedings dated 12.05.2015. Thereafter, the petitioner submitted her explanation on 16.5.2015. Questioning the proceedings dated 12.5.2015, the present Writ Petition is filed.

In view of the seriousness of Charge No.1, this Court is not inclined to interdict the proceedings at this stage. However, as the petitioner has already submitted

her explanation on 16.5.2015, the second respondent is directed to complete the enquiry within a period of two months from the date of receipt of a copy of this order 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 10TH JUNE, 2015.

Msnr_x