

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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WRIT PETITION No.22647 OF 2015

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Between:

Tellabati Ramanaiah.

.. Petitioner

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary, Department of Civil Supplies,
Secretariat, Hyderabad and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 22-07-2015

SUBMITTED FOR APPROVAL:

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 22647 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies. The Writ Petition is being disposed of at the stage of admission with the consent of parties.

The petitioner was appointed as a fair price shop dealer of shop No.5, Madannagaripally Village, Kaluvoya Mandal, SPSR Nellore District. While so, the Tahsildar, Kaluvoya submitted a report on 07.07.2015, based on which, the third respondent issued a show cause notice, dated 16.07.2015, to the petitioner. Along with the show cause notice, the third respondent suspended the authorization of the petitioner on the same day. Challenging the same, the present Writ Petition is filed.

This Court perused the show cause notice which contained four charges. The first charge relates to non-execution of price and stock board. The second charge relates to non-distribution of commodities through electronic weighing machine but manually. The third charges relates to variation in stock which is very minor. The fourth charge relates to distribution of stock to the card holders at higher rates.

In view of the nature of charges, they can be verified without suspending the authorization. This Court is inclined to set aside the order dated 16.07.2015 suspending the authorization of the petitioner. However, the petitioner is given liberty to submit his explanation within a period of fifteen days from the date of receipt of a copy of this order. The third respondent shall conduct an enquiry, by giving due opportunity to the petitioner, within a period of three months from the date of receipt of the explanation. If no

explanation is received from the petitioner, it is open to the third respondent to conduct an enquiry, and pass final orders.

The Writ Petition is, accordingly, disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:22.07.2015

Note:CC by 24.07.2015

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