

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

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W.P.NO. 40995 OF 2015

Between:

L. Shanker Rao S/o Rama Rao aged about 43 years

....Petitioner

A n d

The Principal Secretary Civil Supplies , State of Telangana,
Secretariat Buildings, Hyderabad and two others

....Respondents

DATE OF ORDER: 28.12.2015

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION NO. 40995 OF 2015

ORDER:

In this Writ Petition, the petitioner is questioning the order dated 2.12.2015 issued by the third respondent suspending the petitioner's fair price shop dealership authorization on the allegation that certain complaints were received that he did not supply 'Red Gram Dal' to certain card holders and diverted it from June 2015 to September 2015. After this order was passed, a show cause notice dated 2.12.2015 was also issued to the petitioner. Neither the impugned order nor the show cause notice disclosed who made the complaint against the petitioner, what was the report of the Assistant Supply Officer, Kamareddy and whether any stock verification through a panchanama was conducted in the petitioner's shop. In the absence of any of these details, the show cause notice dated 3.12.2015 has to be held to be vague because without these details being supplied to the petitioner, it would not be possible for the petitioner to defend himself in the proposed enquiry.

2. Therefore, the impugned order dated 2.12.2015 as well as the show cause notice dated 3.12.2015 are quashed. However, liberty is given to the third respondent to issue a show cause notice containing all the relevant details on the basis of which the allegation is levelled against the petitioner and any material relied upon by the

third respondent shall be mentioned in the show cause notice and also supplied to the petitioner.

3. With the above observation, the Writ petition is allowed. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 28.12.2015

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