

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 17849 of 2015

ORDER:

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

2. The petitioner was appointed as a Fair Price Shop Dealer of Shop No.5 of Kalyandurg Town and Mandal, Anantapuram District, by the 2nd respondent in the year 2011. While so, the Tahsildar (CS), Kalyandurg and Rayadurg, inspected the shop and found certain irregularities and submitted a report dated 09.12.2014. Based on the said report, the 2nd respondent issued a show cause notice on 13.01.2015 framing four charges against the petitioner. The petitioner submitted her explanation. Without properly considering the explanation, the 2nd respondent passed an order on 29.05.2015 suspending the authorization of the petitioner pending enquiry. Challenging the said order, the present writ petition is filed.

3. The learned counsel for the petitioner submits that the 2nd respondent had already come to the conclusion, as could be seen from the order dated 29.05.2015, that the explanation of the dealer is partly convincing and the charges are partly held to be proved. The said observation of the 2nd respondent without conducting the enquiry is bad and the impugned order is liable to be set aside. But the order says that the authorisation was suspended pending enquiry. In the circumstances, the 2nd respondent is directed to conduct the enquiry after giving due opportunity to the petitioner and pass final orders within a period of 30 days from the date of receipt of a copy of the order.

4. The Writ Petition is accordingly disposed of. Miscellaneous petitions, if any, pending in the writ petition shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

19th June, 2015

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