

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 28889 of 2015

DATED 8th September, 2015

BETWEEN

Vemu Manikya Rao

...Petitioner

And

The State of AP, rep. by the Joint Collector,
Guntur District, Guntur and ors.

...Respondents.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 28889 of 2015

ORDER:

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

The petitioner was appointed as Fair Price Shop Dealer for Shop No. 38 of Karumuru Village, Repalle Mandal, Guntur District. The fair price shop of the petitioner was inspected by the Vigilance officials on 15.7.2015 and found deficit of 0.17 quintals of sugar and 450 liters of Blue kerosene oil. A show cause notice was issued on 11.08.2015 and the petitioner submitted his explanation on 17.08.2015. After considering the explanation, the authorization of the petitioner was suspended by proceedings dated 18.08.2015. Challenging the same, the present Writ Petition is filed.

A perusal of the impugned order shows that the Vigilance

officials, on inspection of the fair price shop of the petitioner found stock of 450 liters of Blue kerosene oil in two drums without proper valid receipt. When questioned about the variation in stock, the dealer/petitioner replied that due to rush he could not record properly and that the wholesale dealer supplied the kerosene oil without any bill. In these circumstances, having dissatisfied with the explanation of the petitioner, the second respondent suspended the authorization of the petitioner. In the light of the allegations levelled against the petitioner, this Court is of the opinion that the allegations levelled against the petitioner require to be enquired into and this Court will not interfere with such enquiry process at this stage. In view of the same, challenge made to the impugned order of suspension fails. The second respondent shall conduct an enquiry in respect of the allegations levelled against the petitioner and pass appropriate orders thereon as expeditiously as possible but not later than thirty days from the date of receipt of a copy of this order by giving due opportunity to the petitioner.

Subject to the above, 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 8th September, 2015.
Msnr_x