

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 34599 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 Korrapativaripalem Village, Tallur Mandal, Prakasam District. When an auto bearing registration No.AP 27 TW 0996 was carrying PDS rice, it was inspected on 14.05.2015 and some irregularities were noticed in maintaining the dealership by the petitioner.

A show cause notice was issued by the 3rd respondent on 18.05.2015 asking the petitioner to submit his explanation. The petitioner submitted his explanation on 26.05.2015 requesting for furnishing a copy of enquiry report dated 14.05.2015 submitted by the Tahsildar, Tallur Mandal. The authorization of the petitioner was suspended by proceedings dated 28.05.2015 on the ground that he was procrastinating the enquiry. Challenging the same, the petitioner filed an appeal before the 2nd respondent on 14.09.2015 along with a stay petition, and when no orders are passed on the stay petition, the present writ petition is filed.

3. The above facts show that the authorization of the petitioner was suspended pending enquiry in respect of three allegations leveled against him. The enquiry is pending before the 3rd respondent. The petitioner was asked to submit his explanation by 30.06.2015, without furnishing a copy of the report dated 14.05.2015 by the Tahsildar, Tallur Mandal. In the circumstances, this Court feels that instead of directing the 2nd respondent to dispose of the

proceedings before him, in view of the lapse of time, the 3rd respondent himself is directed to dispose of the proceedings before him. In view of the same, the 3rd respondent is directed to supply a copy of the report of the Tahsildar, Tallur Mandal, dated 14.05.2015 to the petitioner in order to enable him to submit his explanation within 15 days after submission of the copy of the report, and thereafter, the 3rd respondent is directed to conduct an enquiry in respect of the allegations leveled against the petitioner and conclude the same within a period of 30 days after submission of the explanation by the petitioner.

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

(A.RAMALINGESWARA RAO, J)

26th October, 2015
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