

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.7031 of 2015

ORDER:

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for the Civil Supplies (AP).

2. This writ petition is filed seeking Writ of *Mandamus* declaring the orders dated 09.03.2015 passed by the 3rd respondent in placing the petitioner's F.P. shop authorization under suspension, without considering the explanation and without verifying the records, as illegal and arbitrary and for a consequential direction to the respondents to continue the petitioner as Fair Price shop dealer of Shop No.1, Dharmavaram Town, Ananthapuramu District, by releasing the stock continuously.

3. The 3rd respondent-Revenue Divisional Officer, Dharmavaram, issued a show cause notice dated 16.02.2015 to the petitioner alleging that at the time of inspection by the authorities, shortage of 340 liters of kerosene was found. In response thereto, the petitioner submitted her explanation to the 3rd respondent along with a copy of the sales register and explained that she has not committed any irregularities in distributing the kerosene oil. On being not satisfied with the said explanation of the petitioner, the 3rd respondent suspended the authorisation of the petitioner. Learned counsel appearing for the petitioner submits that the Xerox copy of the stock register filed along with the writ petition obviously reveals that there are no variations in the stock and therefore, the order of suspension is illegal.

4. In any event, the suspension order was passed by the authorities on being satisfied *prima-facie* about the irregularities

committed by the petitioner. Therefore, the 3rd respondent-Revenue Divisional Officer, Dharmavaram, is directed to conduct enquiry against the petitioner and pass final orders, within a period of two months from the date of receipt of a copy of this order, in accordance with law.

5. The writ petition is accordingly disposed of. Miscellaneous applications, if any, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 18.03.2015
Note: Furnish CC by tomorrow
(BO)
BSS

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URGENT

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Date: 18.03.2015

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