

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 31874 of 2015

DATED 30th September, 2015

BETWEEN

K.Sathaiah

...Petitioner

And

The State of Telangana, rep. by its

Principal Secretary to the Consumer Affairs, Food and

Civil Supplies Department, Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 31874 of 2015

ORDER:

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

The petitioner is the Fair Price Shop Dealer for Shop No. 307 of Nustulapur village, Thimmapur Mandal, Karimnagar District. It appears that on

31.07.2015 the Deputy Tahsildar, Civil Supplies, Mallial along with Vigilance and Enforcement staff inspected the fair price shop of the petitioner and found variation in the stock. Thereafter he submitted a report to the second respondent on 4.8.2015. Based on the same, the second respondent issued a show cause notice on 25.8.2015 levelling three allegations against the petitioner. On the same day, the authorization of the petitioner was also suspended pending enquiry. Challenging the same, the present Writ Petition is filed.

A perusal of the order impugned in the present Writ Petition shows that there is variation of 50 liters of kerosene. It is also alleged that the petitioner is not maintaining the registers properly and he is doing clandestine business by diverting the stock to black market. The petitioner submitted his explanation on 9.9.2015 denying the allegations levelled against him. Having gone through the allegations levelled against the petitioner, this Court is of the opinion that conducting of enquiry into the allegations levelled against the petitioner is inevitable. Since the inquiry initiated against the petitioner is pending, this Court is not inclined to interdict the enquiry process at this stage. In the circumstances, this Writ Petition is disposed of directing the second respondent to complete the enquiry and pass final order within a period of sixty days from the date of receipt of a copy of this order by giving due opportunity to the petitioner to represent his case.

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 30th September, 2015.

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