

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 29848 OF 2015

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Date: 21-09-2015

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Between:

K.John Kiran Kumar

... Petitioner

And

The State of Andhra Pradesh, rep.by its

Secretary, Civil Supplies Department, Secretariat,

Hyderabad and five others.

... Respondents

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The petitioner was appointed as a fair price shop dealer of shop No.41 of Brahmanapally Village, Piduguralla Mandal, Guntur District in the year 2006. When the authorization of the petitioner is valid up to 31-03-2016 and the stocks were not supplied to the petitioner, the petitioner filed W.P.No.26574 of 2014 and this Court disposed of the

said petition

on 10-09-2014 directing the respondents 4 and 5 therein to supply the stocks to the petitioner so long as the petitioner's authorization is in force and valid. It appears that the shop was inspected on 09-03-2015 and based on report submitted by the inspecting officials, the authorization of the petitioner was suspended on 23-03-2015 by the 4th respondent. Challenging the same, the present writ petition is filed.

Learned counsel for the petitioner brought to the notice of this Court that on 22-07-2015, the petitioner submitted a representation to the 5th respondent stating that though the required registers were taken and 6-A case was registered, no notice was issued to him so far. But the papers filed along with the writ petition indicate that the 3rd respondent issued a notice on 30-06-2015 framing four charges against the petitioner. When the petitioner was asked to show the reason for not filing the writ petition immediately after coming to know of the suspension of the authorization, when the same was brought to his notice in C.C.No.787 of 2015, which was disposed of on 25-06-2015, the learned counsel for the petitioner submitted that copy of the order of suspension was not served on him. This Court is not inclined to believe the said submissions.

Be that as it may, in view of the order of suspension dated 23-03-2015 this Court is not inclined to interfere with the enquiry process. The 4th respondent is directed to give sufficient opportunity to the petitioner to submit his explanation and conduct enquiry in respect of the allegations levelled against the petitioner. It is open to the 4th respondent to frame appropriate charges against the petitioner and issue

show-cause notice pursuant to the order of suspension

on 23-03-2015. The entire process shall be completed within a period of three months from the date of receipt of copy of the order.

Accordingly, the writ petition is disposed of.

In consequence, the miscellaneous petitions, if any, pending in this writ petition shall stand closed. No order as to costs.

A.RAMALINGESWARA RAO, J.

21-09-2015

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