

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.2197 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Government Pleader for Civil Supplies appearing for respondents 1 to 3.

This Writ Petition is filed seeking to declare the action of the 2nd respondent in issuing the proceedings dated 2.1.2014 as arbitrary and illegal.

The petitioner is the fair price shop dealer of shop No.38010, Nookalampadu Village, Enkoor Mandal, Khammam District. While so, by order dated 2.1.2014, the 2nd respondent suspended the authorization of the petitioner on certain irregularities and issued show cause to him, for which the petitioner submitted his explanation denying the allegations. Pursuant to the same, Office Note dated 10.12.2014 was put up before the Revenue Divisional Officer-2nd respondent and the relevant paragraph reads as under:

“In view of the above, it is submitted that, keeping in view of explanation submitted by the dealer, and plea of the dealer and on examining the dealer condition and also the fact that there is no previous record of mischief & any contraventions made by the dealer, as such while taking a lenient view as treating it as a first

mistake, the suspension order of authorization issued to Sri T.Bhadraiah, F.P. shop dealer of shop No.38010, Nookalampadu Village of Enkoor Mandal may be revoked and his authorization may be restored while imposing a penalty of Rs.1,000/- with a warning that not to repeat the same lapse in future.”

Since more than one year has been elapsed and no orders have been passed on the explanation submitted by the petitioner, this Court is of the view that the allegations levelled against the petitioner are not so serious and in view of the fact that the petitioner has paid penalty of Rs.1,000/-, the second respondent is directed to revoke the suspension order dated 2.1.2014 and allot the essential commodities to the fair price shop of the petitioner bearing No.38010, Nookalampadu Village, Enkoor Mandal, Khammam District.

With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R. KANTHA RAO

9th February, 2015

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Note: Issue CC by one week.

