

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.31927 of 2015

ORDER:

Heard the learned counsel for petitioner and the learned Government Pleader for Civil Supplies for respondents.

2. The petitioner was appointed as a fair price shop dealer of shop No.21 of Latchampeta Village, L.Kota Mandal, Vizianagaram District. Based on the telephonic message sent by MPTC of Latchampet Village on 09.10.2014 that one person was transporting PDS rice on TVS vehicle, the Deputy Tahsildar (Civil Supplies), L.Kota, came to the village and conducted an enquiry. In the enquiry, he noticed that one Imandi Satyanarayana, S/o. Ramudu of Narsampeta Village was found carrying 59 kgs., of PDS rice on his vehicle. The Deputy Tahsildar inspected the shop of the petitioner and found shortage of 94 kgs., of PDS rice and excess of 14 packets of sugar. A show cause notice was issued to the petitioner on 06.02.2015, and later on, the authorization of the petitioner was cancelled. Challenging the cancellation of authorization, the petitioner filed W.P.No.14773 of 2015 and this Court set aside the order of cancellation and remanded the matter to the third respondent for conducting an enquiry. After conducting enquiry, the impugned order of cancellation was passed on 22.08.2015 by the third respondent, challenging which, the present Writ Petition is filed.

3. In the explanation submitted by the petitioner, she stated that the PDS rice got spoiled in the rain, as a result of which, she had thrown it away. Now, the learned counsel for the petitioner submits that the said variation is within permissible limit, but the said fact was not mentioned in the explanation. Learned counsel for the petitioner further submits that the person who carried the PDS rice on his vehicle gave a statement that he did not purchase the PDS rice from the petitioner. But, the petitioner did not mention the same in her

explanation.

4. In view of the above, this Court is not inclined to entertain the present Writ Petition and it is accordingly dismissed, but however, giving liberty to the petitioner to avail the remedy of appeal, if he is so advised. No order as to costs. Miscellaneous Petitions, if any pending, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 30.09.2015

TJMR

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