

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

-
WRIT PETITION No.25748 of 2015

Between:

P.Balaiah

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_____. Petitioner

and

The State of Telangana
Rep. by its Principal Secretary
Civil Supplies Department
Secretariat Buildings,
Hyderabad, and others

.. Respondents

DATE OF ORDER PRONOUNCED: 14.08.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| | |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| | |
| 3. Whether their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.25748 of 2015

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ORDER:

The petitioner is the Fair Price Shop dealer, R.Itikyala Village, Ragode Mandal, Medak District. The authorization of the petitioner is subsisting till 31.03.2016. The second respondent issued a show cause notice on 05.03.2015 to the petitioner stating that the petitioner has committed clandestine business by not supplying rice to 25 cardholders and disobeyed the instructions of inspecting team and drawing the rice on the cards of deceased persons without surrendering the cards with an intention to divert the rice to black market. The petitioner has submitted his explanation on 19.03.2015. The second respondent without considering the said explanation of the petitioner passed the impugned order dated 10.04.2015 by suspending the authorization of the petitioner. Challenging the same, the petitioner filed the present writ petition.

A perusal of the impugned order shows that the allegations against the petitioner are that he has refused to show the Key Register and Stock Register to the inspection team and that on verification of the Key Register, 25 persons of the village have stated that the dealer (petitioner) has not supplied the commodities during month of December 2014 and that he is opening the shop two to three days in a month and declined to supply rice to all other card holders. The second respondent ought not to have suspended the authorization of the petitioner in view of the nature of allegations, but the second respondent passed the impugned order of suspension on 10.04.2015 pending enquiry. The petitioner submitted his explanation to the show cause notice issued on 05.03.2015.

In view of the above circumstances, the second respondent is directed to complete the enquiry in respect of the charges leveled against the petitioner and pass appropriate orders thereon, after giving due opportunity to the petitioner, within 30 days from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of.

Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 14.08.2015

MVA

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.25638 of 2015

Date: 14.08.2015

MVA