

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

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WRIT PETITION No.29866 OF 2015

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Between:

K.Bhaskar Reddy

.. Petitioner

And

The State of Andhra Pradesh,
Rep. by its Secretary to Government, Civil Supplies Dept,
Secretariat, Hyderabad and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 14-09-2015

SUBMITTED FOR APPROVAL:

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.29866 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies. The Writ Petition is being disposed of at the stage of admission with the consent of parties.

The petitioner was appointed as a fair price shop dealer of shop No.13, Gubanapally Village, Kalyandurg Mandal, Anantapur District. When the petitioner was not supplied stock, he filed W.P.No.23174 of 2014. By order dated 13.08.2014, this Court disposed of the Writ Petition directing the respondents to accept the demand drafts submitted by the petitioner and supply stock so long as the authorization is valid. Thereafter, an order of interim suspension was passed on 18.05.2015. As no enquiry was conducted, the present Writ Petition is filed.

A perusal of the order of suspension shows that the Tahsildar, Kalyandurg submitted his report on 12.05.2015 in respect of variations in PDS rice and atta which are within the permissible limits. However, certain technical violations were alleged against the petitioner, and an order of suspension was passed on 18.05.2015. Even after lapse of three months, no show cause notice was issued when, in fact, the third respondent should have completed the enquiry.

In the circumstances, the Writ Petition is disposed of directing the third respondent to issue show cause notice giving opportunity to the petitioner to submit his explanation, conduct an enquiry and complete the same within a period of thirty days from the date of receipt of a copy of this order. Even though the process of issuing notice and inviting explanation involves some time, the shorter time is put in view of the lapse committed by the third respondent in not issuing show cause notice to the

petitioner.

The Writ Petition is disposed of at the stage of admission.
Miscellaneous petitions, if any, pending in this writ petition shall
stand disposed of. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:14.09.2015
usd

