

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—
WRIT PETITION No.20893 of 2015

ORDER:

The petitioner was appointed as a fair price shop dealer of Shop No.16, Ward No.5 of Santhapet, Chittoor. The authorisation of the petitioner is valid till 31.03.2016. While so, on 14.03.2015 the Civil Supplies Deputy Tahsildar (Enforcement), Chittoor, inspected the petitioner's shop and conducted a panchanama for the variation found in the stock. Proceedings under Section 6A of the Essential Commodities Act were initiated against the petitioner. He submitted a report to the third respondent, based on which the third respondent suspended the authorisation of the petitioner. The said order was challenged by the petitioner in W.P.No.10667 of 2015 and this Court disposed of the same on 16.04.2015 directing the Revenue Divisional Officer, Chittoor, to conduct an enquiry and pass a final order within a period of eight weeks. When the said enquiry was not completed, the present Writ Petition is filed.

Learned Counsel for the petitioner submits that in spite of the order of this Court dated 16.04.2015 in W.P.No.10667 of 2015, the third respondent has not even initiated the enquiry. He submits that the inaction of the third respondent is in violation of the orders passed by this Court and attracts the provisions of Contempt of Courts Act.

Though I am in agreement with the submission made by the learned Counsel for the petitioner, but in view of the present Writ Petition, I am inclined to dispose of the present Writ Petition directing the third respondent to conduct an enquiry as ordered by this Court in W.P.No.10667 of 2015 dated 16.04.2015, and complete the same within a period of thirty days from the date of receipt of a copy of this order. It is needless to observe that failure to implement this order would invite proceedings under Contempt of Courts Act. The third respondent is also

obligated to observe the principles of natural justice and pass a final order after conducting enquiry in a fair manner. Learned Counsel for the petitioner submits that the panchayatdars, in whose presence it is alleged that the panchanama was conducted, gave an affidavit to the Joint Collector stating that no panchanama was conducted in their presence. It is open to the petitioner to file the said document before the third respondent during the course of enquiry.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

08.07.2015

vs