

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.10751 of 2016

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Between:

Smt. M. Muneswari

PETITIONER

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary to Government, Civil Supplies Department, Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

The case of the petitioner is that she was appointed as fair price shop dealer of Shop No.9 of Somapuram Village, Chapadu Mandal, Kadapa District in the year 2005 and her authorization has been renewed from time to time. While so basing on the report dated 10.02.2016 submitted by the 3rd respondent, the 2nd respondent issued the impugned order dated 15.02.2016 suspending the petitioner's authorization pending enquiry alleging that on verification of stock ground balance there is 54 ltrs., of Kerosene excess on the ground. Challenging the same, the present writ petition is filed.

The charges framed against the petitioner are –

1. On verification of the stock ground balance to e-Pos device there a balance of 54 ltrs Kerosene was excess on the ground it seems that the F.P. Shop dealer has made fictitious entries in the sales register for PDS Rice, hence excess variation taken place and register, which exceeded 2% of permissible limit with referee to allotted quantity and there by violated clause 17 (b) of the A.P. Public Distribution System (Control) Order, 2008.
2. That the F.P. Shop dealer was not distributing the Essential Commodities to the card holders properly much causing hardship to the card holders and thereby violated the condition NO.8 of granted Authorisation under A.P. State Public Distribution System (Control) Order, 2008.

Having considered the submissions made on behalf of the petitioner and considering the fact that Section 6-A proceedings have been initiated against the petitioner on 15.02.2016, no useful purpose would be served by keeping the writ petition pending.

In those circumstances, there shall be a direction to the respondent Nos.2 & 3 to consider the explanation that may be submitted by the petitioner, complete the enquiry and pass final orders within a period of four weeks from the date of receipt of a copy of this

order. If the enquiry is not completed within the time stipulated, the authorization of the petitioner shall stand restored.

With the above direction, the writ petition is disposed of. As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

CHALLA KODANDA RAM, J.

1st April, 2016
Js.