

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 7009 of 2016

ORDER:

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The petitioner has been appointed as Fair Price Shop Dealer for Shop No. 43 of Ramanthapur, Uppal Viilage. While so, based on the report submitted by the third respondent-A.S.O, the second respondent-Revenue Divisional Officer issued a show cause notice on 23.01.2016 levelling certain allegations against the petitioner, to which, the petitioner submitted his explanation on 29.01.2016. Dissatisfied with the same, the second respondent by order dated 09.02.2016 suspended the authorization of the petitioner. Hence, the petitioner filed the present writ petition.

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

A perusal of the proceedings dated 09.02.2016 issued by the 2nd respondent-R.D.O shows that the authorization of the petitioner's Fair Price Shop was cancelled on the allegation of indulging in clandestine business by the husband of the petitioner by packing the PDS rice from the gunny bags to white plastic bags to sell the same in open market for illegal gain. The commodities of 60 white nylon bags of each 50 kgs PDS rice is seized and a case was booked against the petitioner and two others under Sections 420, 406 IPC and 7 of Essential Commodities Act, 1955. As the allegations leveled against the petitioner are serious in nature, 2nd respondent-R.D.O shall conduct an enquiry against the petitioner by taking into consideration of the explanation submitted by her.

In the light of the aforesaid discussion and inasmuch as the petitioner has already submitted her explanation denying the charges levelled against her, the second respondent-R.D.O is directed to

consider the explanation submitted by the petitioner and pass final orders within a period of four weeks from the date of receipt of a copy of this order by duly observing the principles of natural justice and affording an opportunity of being heard to the petitioner.

Subject to the above, the Writ Petition is disposed of at the admission stage. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE CHALLA KODANDA RAM

DATED:03.03.2016

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