

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO**

WRIT APPEAL No.555 OF 2008

JUDGMENT: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

This appeal is preferred against the order passed by the learned Single Judge in W.P.No.9042 of 2008 dated 23.04.2008 whereby the order passed by the Tahsildar, suspending the authorisation of the writ petitioner for Shop No.7, was set aside; and he was directed to pay Rs.10,000/- as costs to the A.P. Legal Services Authority, Hyderabad, within a period of four weeks from the date of the order.

By way of an interim order in W.A.M.P.No.1172 of 2008 in W.A.No.555 of 2008 dated 13.06.2008, the order of the learned Single Judge was stayed, recording the submission of the learned Government Pleader that an enquiry has been initiated, and would be completed within a period of four weeks from the date of the order.

Learned Government Pleader for Civil Supplies would fairly state that, while the jurisdiction to suspend the authorisation is conferred on the Revenue Divisional Officer, in terms of the executive instructions the power of suspension was delegated to Tahsilar; the order passed by the learned Single Judge, setting aside the order of suspension, may be justified; and it would suffice if this Court were to consider setting aside imposition of costs of Rs.10,000/- in the order under appeal.

Sri B.Lingaiah Yadav, learned counsel for the respondent-writ petitioner, would fairly state that he has no objection to the order of the learned Single Judge, to the extent costs of Rs.10,000/- was imposed, being set aside.

The order of the learned Single Judge, to the limited extent that costs of Rs.10,000/- was imposed, is set aside and, in all other respects, the order is affirmed. As the learned Government Pleader submits that the enquiry has since been completed, and no action has been taken in view of the pendency of the Writ Appeal, we make it clear that this order shall not preclude the authorities concerned to proceed and take further action pursuant to the enquiry, conducted against the respondent-writ petitioner, in accordance with law.

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

(RAMESH RANGANATHAN, ACJ)

01st September 2016

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

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Date: 01.09.2016

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