

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.24733 of 2016

ORDER:

1 This Writ Petition is filed under Article 226 of the Constitution of India seeking writ of Certiorari calling for the records relating to the order in Prods. No. E/3718/2015 dated 14.07.2016 passed by the 3rd respondent in cancelling the authorization No.267 issued to the petitioner in respect of Fair Price Shop dealer No.143 of Ippaguda village, Ghanpur (Stn.) Mandal, Warangal district without issuing notice and quash the same by declaring it as arbitrary, bad, illegal and violative principles of natural justice.

2 Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for the respondents.

3 The only contention of the learned counsel for the petitioner is that the third respondent passed the orders on 14.7.2016 by cancelling the authorization No.267 issued to the petitioner as fair price shop dealer No.143 of Ippaguda village, Ghanpur (Stn.) Mandal, Warangal district without giving any opportunity to the petitioner.

4 A perusal of the record clearly reveals that that no opportunity was given to the petitioner before passing the order dated 14.7.2016 by the third respondent. Any order passed in violation of principles of natural justice is *non est* in the eye of law. The third respondent passed the orders on the sole ground that the petitioner admitted his guilt before the Joint Collector. Even assuming without conceding that the petitioner admitted his guilt before the Joint Collector, that itself is not a sufficient ground to cancel the authorization of the petitioner, without giving him a reasonable opportunity.

5 Having regard to the facts and circumstances of the case, order dated 14.07.2016 passed by the third respondent is hereby set aside. The third respondent is hereby directed to dispose of the disciplinary

proceedings initiated against the petitioner as expeditiously as possible, preferably, within a period of two months from the date of receipt of a copy of this order in accordance with law and after affording a reasonable opportunity to the petitioner.

6 With the above direction, this Writ Petition is disposed of. No order as to costs. No order as to costs. As a sequel, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

T. SUNIL CHOWDARY, J

Date: 26.07.2016

Kvsn