

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.9502 OF 2016

ORDER:

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

The petitioner was appointed as Fair Price Shop Dealer for Shop No.36 of Adoni Town, Kurnool District on 16.09.1998 on permanent basis and the same has been extended from time to time and the same is subsisting as of today. While so, basing on the report of the 3rd respondent-Tahasildar, Adoni that the petitioner committed certain irregularities in distribution of essential commodities, the 2nd respondent-Revenue Divisional Officer, Adoni, issued a show cause notice dated 27.05.2015 calling upon the petitioner to show cause as to why his authorization should not be cancelled, for which the petitioner submitted explanation on 03.06.2015. Being dissatisfied with the explanation of the petitioner, the 2nd respondent cancelled the authorization of the petitioner vide proceedings in Rc. (M).No.748/2015, dated 04.06.2015. Challenging the same, the present writ petition is filed.

This Court carefully perused the nine charges leveled against the petitioner and though the learned counsel for the petitioner submits that no proper enquiry was conducted by the 2nd respondent, this Court is not inclined to entertain the present writ petition, in view of availability of an alternative remedy, for which the petitioner is given liberty to file an appeal before the competent authority within a period of thirty (30) days from the date of receipt of a copy of the order. As and when such appeal is filed by the petitioner, the appellate authority-Joint Collector is directed to dispose of the said appeal within a period of four weeks from the date of filing of such appeal,

after taking into consideration of the explanation submitted by the petitioner and after conducting independent enquiry into the charges framed against the petitioner. Till the disposal of appeal or the stay application, there shall be interim stay of the order dated 04.06.2015.

With the above direction, the writ petition is disposed of. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dated:23.03.2016.

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