

WRIT PETITION No.22353 OF 2016

ORDER:

The case of the petitioner is that he was appointed as fair price shop dealer of Shop No.27 of Chinnayarasala Village, Porumamila Mandal, Y.S.R District on permanent basis in the year 2012. The 3rd respondent-R.D.O issued the notice dated 06.06.2016 alleging certain irregularities in distribution of commodities to the card holders. Thereafter, basing on the report submitted by the 4th respondent-Tahsildar, the 3rd respondent-R.D.O cancelled the authorisation of the petitioner. Questioning the same, the petitioner filed the present writ petition.

The charges framed against the petitioner being grave and there being variation with respect to stock, this is not a fit case to interfere with the impugned proceedings especially considering the fact that there is an alternative remedy of appeal is available to the petitioner.

In the circumstances, the writ petition is disposed of directing the petitioner to avail the alternative remedy of appeal before the Joint Collector against the impugned order passed by the 3rd respondent. Therefore, the petitioner shall file an appeal before the 2nd respondent-Joint Collector within a period of 30 days from the date of receipt of copy of this order. As and when such appeal is filed by the petitioner, the 4th respondent-Joint Collector is directed to dispose of the said appeal or any stay application filed 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 any stay application filed by the petitioner, there shall be interim stay of the impugned proceedings.

With the above direction, the writ petition is disposed of. No order as to costs.

In view of the disposal of the main writ petition, Miscellaneous petitions, if any pending in the writ petition, shall also be closed.

CHALLA KODANDA RAM, J

Dated:14.07.2016

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HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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