

**HONOURABLE SRI JUSTICE CHALLA KODANDA
RAM**

WRIT PETITION No. 3560 of 2016

ORDER:

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

The petitioner is appointed as Fair Price Shop Dealer for Shop No.9 of Sadashivpet Town and Mandal, Medak District. On 20.01.2016, the Deputy Tahsildar (Civil Supplies), Sadashivpet Mandal, Medak District (respondent No.5) along with his staff inspected the fair price shop of the petitioner and found certain variations in the stocks. Thereafter, based on the report submitted by the 5th respondent, the 3rd respondent issued a show cause notice to the petitioner on 23.01.2016 asking him to submit explanation within seven days. The respondent authorities are not supplying the essential commodities to the petitioner, though the petitioner's licence is neither suspended nor cancelled. Aggrieved by the same, the petitioner filed the present Writ Petition.

However, when the matter is taken up for hearing

today, learned Government Pleader for Civil Supplies has placed on record the orders dated 11.02.2016, whereunder the authorization of the petitioner's fair price shop is suspended, as the petitioner failed to submit his explanation, within the stipulated time of seven days, for the irregularities committed in his fair price shop. In those circumstances, learned counsel for the petitioner seeks a direction to the 3rd respondent to conduct an enquiry and pass final orders after taking into consideration of the explanation that may be submitted by the petitioner. Having regard to the allegations made against the petitioner, this Court is not inclined to go into the merits or otherwise of the same.

In that view of the matter, the Writ Petition is disposed of directing the petitioner to submit his explanation and the 3rd respondent is directed to conduct enquiry and pass final orders within a period of four weeks from the date of receipt of explanation from the petitioner, by duly complying with the principles of natural justice and affording an opportunity of being heard to the petitioner. It is made clear that if the petitioner does not cooperate with the enquiry, the respondents are at liberty to pass final orders based on the enquiry report and material available on record. Further it is made clear that if the respondents do not complete the enquiry and pass final order, as directed

supra, the suspension of authorization of the petitioner shall stand revoked without reference to any further orders of this Court.

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.

CHALLA KODANDA RAM, J

Date: 17-02-2016

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