

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 20659 OF 2016

ORDER:

This Writ Petition is filed seeking a *mandamus* for declaring the action of the 3rd respondent in issuing the proceedings dated 19.05.2016 suspending the authorization of the petitioner as fair price shop dealer of Morubagal Village, Gudibanda Mandal, Anantapur District, without there being any reason, as illegal and arbitrary.

The main ground on which this Writ Petition has been filed is, on 19.05.2016, a show cause notice was issued to the petitioner to appear in person and submit her explanation on 30.05.2016 and simultaneously the impugned order of suspension has been passed on the same day.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies (Andhra Pradesh).

Evidently, the show cause notice dated 19.05.2016 was issued to the petitioner '*directing to show cause as to why the F.P. Shop dealership held by her should not be cancelled for the irregularities committed by her under the provisions of A.P.S.D.S(Control) Order, 2008 within 7 days from the date of receipt of this notice.....*'.

Therefore, it is clear that the order of suspension has nothing to do with the show cause notice. Hence, the contention of the learned counsel for the petitioner that without waiting for an explanation to be filed, the authorization of the petitioner has been suspended, cannot be accepted. However, since the petitioner has not submitted any explanation, though under a mistaken impression, ends of justice would be better served, if time is granted to her to respond to the show cause notice dated 19.05.2016 before directing the 3rd respondent to conduct the inquiry.

Therefore, subject to the petitioner submitting her explanation to the show cause notice dated 19.05.2016 within 15 days from today, the 3rd respondent shall consider the same and pass necessary final orders on merits, by ensuring compliance with the principles of natural

justice.

The Writ Petition accordingly, stands disposed of. No costs.

Consequently, the miscellaneous applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J

27th June 2016

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