

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.12132 OF 2016

ORDER:

The case of the petitioner is that he was appointed as fair price shop dealer of Shop No.9 of Sadashivpet Town and Mandal, during the year 1979. The 3rd respondent-R.D.O issued the notice dated 02.03.2016 alleging certain irregularities in distribution of commodities. Thereafter, basing on the report submitted by the 4th respondent-Tahsildar, the 3rd respondent-R.D.O cancelled the authorisation of the petitioner temporarily. Questioning the same, the petitioner filed the present writ petition.

In view of the serious allegations leveled against the petitioner are proved and as there is alternative remedy available to the petitioner and as the findings of fact are under challenge, the petitioner may avail the alternative remedy of appeal.

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 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 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 order.

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:12.04.2016

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