

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.29332 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the impugned proceedings in Rc.No.4075/2016-B, dated 19.07.2016, issued by the second respondent as illegal and arbitrary.

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

3. A perusal of the record reveals that the petitioner was appointed as Fair Price Shop Dealer in respect of Shop No.0744011 of Pamidipadu village, Nuzendla Mandal, Guntur District. It is the case of the petitioner that she has been distributing the essential commodities to the card holders without any complaint whatsoever. While so, on 11.06.2016, the third respondent inspected the petitioner's shop and found variation in the stock. The third respondent submitted a report to the second respondent alleging that the petitioner contravened the provisions of the Andhra Pradesh State Public Distribution System (Control) Order, 2008. On 20.06.2016, the petitioner submitted her explanation to the show cause notice issued by the second respondent. Being not satisfied with the explanation submitted by the petitioner, the second respondent suspended the authorization of the petitioner's fair price shop dealership on 19.07.2016.

4. Learned counsel for both parties with one voice submitted that the enquiry is pending before the second respondent.

5. At the time of argument, the only relief sought by the petitioner is to direct the second respondent to dispose of the enquiry, as expeditiously as possible. The learned Assistant Government Pleader for Civil Supplies also consented for the same.

6. In view of the submissions made by the learned counsel for both parties and also in view of pendency of enquiry before the second respondent, this Court is not inclined to go into the merits of the main case.

7. Having regard to the facts and circumstances of the case and also the submissions made by learned counsel for both parties, the second respondent is hereby directed to dispose of the enquiry initiated against the petitioner, as expeditiously as possible, preferably within a period of two (2) months from the date of receipt of a copy of this order. If the second respondent fails to conclude the enquiry within the stipulated period, he is directed to restore the authorization of the petitioner in respect of Fair Price Shop No.0744011 of Pamidipadu village, Nuzendla Mandal, Guntur District.

8. With the above direction, the Writ Petition is disposed of.

No costs.

9. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date: 31.08.2016
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T.SUNIL CHOWDARY, J