

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.18774 of 2016

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader of Civil Supplies.

Suspension pending enquiry order dated 21.04.2016 is challenged before this Court.

As can be seen from the material on record, the impugned order has been made on the instructions of the Collector dated 06.04.2016. Before the Collector, petitioner made a representation that his wife being an illiterate and under the influence and ill-advise of the brokers, had applied for and also availed the grant of Rs.1,02,000/- under 'Kalyan Lakshmi' scheme though she is not eligible for the same. On coming to know the same, petitioner had repaid the entire amount. However, basing on the admission made by the petitioner before the Collector to that effect, the suspension pending enquiry order has been made. Aggrieved over the same, present writ petition is filed.

It is an admitted fact that there are no allegations against the petitioner that he had violated any of the Control Orders. The F.I.R. is lodged and case is filed against the petitioner for the offence under Section 420 IPC only on the ground that his wife has mis-utilized the funds under 'Kalyan Lakshmi' scheme.

In this factual situation, the suspension pending enquiry order is not justified. Hence, the impugned order is hereby set aside.

Accordingly, the writ petition is allowed. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall

also stand closed.

16th June, 2016
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CHALLA KODANDA RAM, J.