

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.6408 of 2016

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Between:

D. Thimma Reddy

PETITIONER

AND

1. The State of Andhra Pradesh, rep. by its Secretary, Consumer Affairs, Food & Civil Supplies (CS.I) Department, A.P. Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies for respondents and with their consent the writ petition itself is taken up for disposal at the admission stage.

The order of the 2nd respondent in suspending the authorization of the petitioner pending enquiry through proceedings dated 17.11.2015 is under challenge in this writ petition.

The case of the petitioner is that he was appointed as fair price shop dealer of Shop No.23 of Karakamukkala Village, Vidpanakal Mandal, Ananthapur District by the 2nd respondent. While so, the 3rd respondent issued show cause notice dated 07.11.2015 to the petitioner framing four charges. The petitioner submitted a detailed explanation on 13.11.2015. The grievance of the petitioner is that without considering the said application, the 2nd respondent issued proceedings dated 17.11.2015 suspending the authorization of the petitioner pending enquiry. Challenging the same, the present writ petition is filed.

Learned Government Pleader on instructions submitted that against the order of suspension pending enquiry, the petitioner filed an appeal before the 4th respondent-Joint Collector, who in turn directed the 2nd respondent-Revenue Divisional Officer to complete the enquiry within a period of four weeks and pass appropriate orders in accordance with law. Accordingly, the 2nd respondent had issued fresh show cause notice on 15.02.2016 calling for further explanation from the petitioner and also to submit the documents, if any. He further submits that the 2nd respondent shall pass orders as and when the petitioner appears before him.

In normal circumstances, the 2nd respondent ought to have completed the enquiry within four weeks, i.e., by 22.01.2015, but the same has not been done in the instant case. However, in the light of the written instructions submitted by the 2nd respondent, I deem it appropriate to disposed of the writ petition directing the respondent to complete the enquiry within a time frame.

Accordingly, the writ petition is disposed of with a direction to the 2nd respondent to complete the enquiry within a period of two weeks from today and pass appropriate orders. Learned Government Pleader shall intimate the time stipulated by this Court to the 2nd respondent.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

CHALLA KODANDA RAM, J.

29th February, 2016
J s.