

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.26096 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the proceedings in Rc.No.384/14/A, dated 20.10.2014 on the file of the third respondent as illegal, arbitrary and without jurisdiction.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies (A.P.).

A perusal of the record reveals that the third respondent issued proceedings in Rc.No.384/14/A, dated 20.10.2014 suspending the authorization of the petitioner basing on the complaint lodged by the Sarpanch and Upasarpanch of the village.

One of the contentions raised by the learned counsel for the petitioner is that the third respondent has no right whatsoever to suspend the authorization of the petitioner. The disciplinary proceedings are pending before the second respondent since 2014. If this Court expresses any opinion with regard to the merits of the main case, the same may cause prejudice to one of the parties to the proceedings in view of pendency of enquiry before the second respondent. For one reason or other, the second respondent did not choose to dispose of the enquiry proceedings.

Having regard to the facts and circumstances of the case and also the submission made by the learned counsel for the petitioner, the second respondent is hereby directed to complete the enquiry pending against the petitioner on or before 04.09.2016 objectively. If the second respondent fails to dispose of the enquiry proceedings on or before 04.09.2016, the second respondent is hereby directed to restore the authorization of the petitioner in respect of Fair Price Shop No.12 of Cheedipalli Village, Cheedikada Mandal, Visakhapatnam District.

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

No costs.

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

T.SUNIL CHOWDARY, J

Date: 04.08.2016

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