

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.9194 of 2016

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Between:

L. Narayanamma

PETITIONER

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary,
Civil Supplies Department, Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

This writ petition is filed challenging the action of the 2nd respondent in issuing show cause notice cum suspension order canceling the petitioner's fair price shop dealership authorization, vide proceedings dated 21.12.2015, without issuing any notice and without following due procedure prescribed by law.

The case of the petitioner is that she was appointed as fair price shop dealer of Shop No.1 of Beluguppa village through proceedings dated 5.11.2005 on temporary basis. Thereafter, she was appointed as permanent dealer, initially, for a period of two years and her authorization was extended from time to time. While so, on 17.12.2015 the 3rd respondent inspected the petitioner's fair price shop, conducted panchanama, seized the stock and submitted a report to the 2nd respondent, basing on which, the 2nd respondent issued the show cause notice cum suspension order dated 21.12.2015. The petitioner submitted a detailed explanation on 22.12.2015. But the 2nd respondent without giving any notice and without giving an opportunity of hearing, suspended her authorization. It is stated that earlier when the respondents did not release the stock the petitioner filed W.P.No.14644 of 2015 and obtained stay and was continuing as fair price shop dealer. Again when the respondents issued notification, the petitioner filed W.P.No.40283 of 2015 and this Court by order dated 11.12.2015 granted interim direction to the respondents to continue the petitioner as F.P. shop dealer. Again on 17.12.2015 the 3rd respondent inspected the shop of the petitioner and submitted a report to the 2nd respondent only to harass the petitioner. Challenging the said action, the petitioner filed the present writ petition.

Having considered the submissions made on behalf of the

petitioner and considering the fact that the order of the 2nd respondent is only suspension pending enquiry, no useful purpose would be served in keeping the writ petition pending.

In those circumstances, the writ petition is disposed of granting liberty to the petitioner to submit fresh explanation to the show cause notice cum suspension order dated 21.12.2015 within a period of 10 days from today. On such explanation being submitted the 2nd respondent shall pass final orders within 10 days thereafter. It is needless to mention that the petitioner shall be given an opportunity of hearing before passing final orders.

In view of the disposal of the main writ petition, Miscellaneous petitions, if any pending in the writ petition, shall also be closed. No order as to costs.

CHALLA KODANDA RAM, J.

21st March, 2016
Js.