

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.14578 of 2016

ORDER:

This writ petition is filed for a *mandamus* declaring the order passed by the 2nd respondent in issuing proceedings dated 02.03.2016, suspending the authorization of the petitioner's fair price shop dealer for Shop No.209 of Annaram Village of Manakondur Mandal, Karimnagar District, without considering the explanation submitted by the petitioner, dated 19.04.2016, and without giving an opportunity of hearing to the petitioner, as illegal and arbitrary and for a consequential direction to respondent Nos.2 and 3 to continue the supply of the commodities to the petitioner's fair price shop.

It is the case of the petitioner that she is the fair price shop dealer for Shop No.209 of Annaram Village of Manakondur Mandal, Karimnagar District. While so, the 2nd respondent issued proceedings dated 02.03.2016, suspending the authorization of the petitioner pending detailed enquiry. Aggrieved by the same, the present writ petition is filed.

Heard learned counsel for the petitioner and the learned Assistant Government Pleader for Civil Supplies.

Learned counsel for the petitioner submits that the authorization of the petitioner cannot be suspended until the outcome of the result of 6-A proceedings. He also

submits that as per Andhra Pradesh State Public Distribution System (Control) Order, 2008 (for short, 'Control Order'), the 2nd respondent has no power to suspend the authorization of the petitioner pending enquiry under Section 6-A of the Act.

In the instant case, admittedly, show cause notice is issued to the petitioner on 02.04.2016 on the same day itself. However, the suspension order does not indicate the suspension period.

For the aforesaid reasons, the impugned order dated 02.03.2016, is set aside and the petitioner is entitled to receive essential commodities supplied by the respondents as long as her authorization is valid and subsisting. The respondents are directed to complete the enquiry and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, writ petition is disposed of.
No costs.

Miscellaneous petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

27th April 2016.

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