

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.10889 of 2016

-

ORDER:

The order of the 2nd respondent-Revenue Divisional Officer, dated 10.02.2015, suspending the authorization granted in favour of the petitioner, is challenged before this Court.

The case of the petitioner is that he was appointed as fair price shop dealer of Shop No.26 of Kurukunda Village, Atmakur Mandal of Kurnool District in the year 2012 and has been distributing the commodities to all the card holders without any remarks. While so, succumbing to the political pressures, the 2nd respondent suspended his authorization vide proceedings dated 10.02.2015 on the ground that he is not maintaining electronic weighment machines, not maintaining stock registers and sales registers and also alleged that he is not distributing the essential commodities and Chandranna Sankranthi Kanuka properly. Though the 2nd respondent is obligated under the Control order the enquiry shall be completed within 90 days, but even after lapse of more than a year, the 2nd respondent has not conducted any enquiry or even served any show cause notice as on date. Hence, the present writ petition.

Heard both the learned counsel.

On instructions the learned Government Pleader for the respondents submits that the petitioner has already filed an appeal before the Joint Collector, Kurnool and the Joint Collector in turn had directed the 2nd respondent-Revenue Divisional Officer to dispose of the disciplinary case pending against the petitioner duly following the principles of natural justice within a period of four weeks. In spite of the fact that the said order was made on 19.10.2015, the 2nd

respondent does not appear to have proceeded further. On instructions he further submits that the authorization of the petitioner is valid till 31.03.2016 and further seeks time to conclude the enquiry and dispose of the case.

In that view of the matter, this writ petition is disposed of with a direction to the 2nd respondent that the enquiry initiated against the petitioner shall be completed within four weeks from the date of receipt of this order by duly observing the principles of natural justice and affording an opportunity of being heard to the petitioner. Further, the petitioner shall be allowed to distribute the essential commodities until final decision is taken by the respondent authorities.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J.

Date: 07.04.2016

Note: Issue C.C. in 3 days.

B/o

Ssv