

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION NO.24809 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to issue writ of mandamus declaring the action on the part of the 2nd respondent in passing the order in proceedings No.C/1850/2015, dated

20-11-2015, suspending the authorization of the petitioner's fair price shop No.4638, Chandanapur village, Kamanpur Mandal, Karimnagar District, without assigning any reasons and notice to the petitioner and without indicating the period of suspension is illegal and arbitrary and consequently direct the respondents 2 and 3 to supply the commodities to the fair price shop of the petitioner enabling her to supply the commodities to the card holders.

2. The case of the petitioner is that she is a fair price shop dealer of shop No.4638, Chandanapur village, Kamanpur Mandal, Karimnagar District. While so, the 2nd respondent issued the impugned proceedings basing on 6-A case report submitted by the 3rd respondent.

3. The contention of the learned counsel for the petitioner is that without giving any notice, the 2nd respondent issued the impugned proceedings, dated 20-11-2015.

4. Learned Government Pleader for Civil Supplies submitted that in spite of giving opportunity, the petitioner did not choose to submit her explanation.

5. Whether the petitioner has received the notice or not is purely a disputed question of fact. It is not in dispute that the 2nd respondent is entitled to pass orders as per A.P. Public Distribution System (Control) Order, 2008.

6. Having regard to the facts and circumstances of the case, the 2nd respondent is hereby directed to dispose of the disciplinary proceedings against the petitioner as early as possible preferably within a period of one month from the date of receipt of a copy of this order after affording reasonable opportunity to the

petitioner to put forth her stand.

7. Accordingly, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions, if any pending, in this Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

DATED: 27-07-2016.

Hsd