

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.25009 of 2016

ORDER:

1 This Writ Petition is filed under Article 226 of the Constitution of India seeking writ of mandamus declaring the proceedings dated 12.07.2016 in Rc.No.2009/2016/B of the second respondent as illegal and arbitrary.

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

3 A perusal of the record reveals that the petitioner was appointed as fair price shop dealer of shop No.25 of Puligundlapalli village, Talupula Mandal, Ananthapuram District. It is the case of the petitioner that he has been distributing the essential commodities to the cardholders without any complaint whatsoever. The contention of the Assistant Government Pleader for Civil Supplies is that the petitioner has contravened the provisions of Andhra Pradesh State Public Distribution System (Control) Order, 2008.

4 A perusal of the record reveals that on 19.05.2016 the Vigilance and Enforcement officials inspected the shop of the petitioner and found variation of the stock. The second respondent issued a show cause notice on 30.05.2016 calling for the explanation of the petitioner. The petitioner submitted his explanation on 13.06.2016. Being not satisfied with the same, the second respondent suspended the authorisation of the petitioner in respect of fair price shop No.25 and subsequently issued a charge memo dated 12.07.2016, by calling for his explanation. Whether the petitioner has committed any irregularity or not will come to light during the course of enquiry only. If this Court expresses any opinion, the same may cause prejudice to one of the parties to the proceedings. Hence this Court is not inclined to express any opinion.

5 Having regard to the facts and circumstances of the case and also the submissions made by the counsel for both the parties, the second respondent is hereby directed to dispose of the disciplinary enquiry pending against the petitioner as expeditiously as possible, preferably, within a period of one month from date of receipt of a copy of the order, after affording a reasonable opportunity to the petitioner to put forth his defence.

6 With the above direction, this writ petition is disposed of. No order as to costs. As a sequel, miscellaneous petitions pending in this writ petition, if any, shall stand closed.

T. SUNIL CHOWDARY, J

Date: 02.08.2016
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