

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.18224 of 2016

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ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Civil Supplies.

The case of the petitioner is that he was appointed as fair price shop dealer in respect of shop No.2, Kothacheruvu Village and Mandal of Ananthapuram District, on 24.12.2014 on compassionate grounds. While so, the second respondent, basing on the report of the 3rd respondent, had issued a show cause notice dated 03.08.2015 to the petitioner pointing out certain irregularities, to which the petitioner had submitted a detailed explanation. In spite of the same, without considering his explanation and without conducting any independent enquiry, the 2nd respondent passed the impugned order dated 31.03.2016 canceling the authorization of the petitioner. Challenging the same, present writ petition is filed.

Having considered the submissions made on behalf of the petitioner and considering the fact that the 2nd respondent had already cancelled the authorization of the petitioner, no useful purpose would be served in keeping the writ petition pending.

In the circumstances, the writ petition can be disposed of directing the petitioner to avail the alternative remedy of appeal before the Joint Collector against the impugned order passed by the 2nd respondent. Accordingly, the petitioner shall file an appeal before the Joint Collector within a period of two weeks from the date of receipt of a copy of this order. As and when such appeal is filed by the petitioner, the Joint Collector is directed to dispose of the said appeal within a period of four weeks from the date of filing of such appeal, after taking into consideration the explanation submitted by the

petitioner and after conducting independent enquiry into the charges framed against the petitioner. Till disposal of appeal, there shall be interim stay of order dated 31.03.2016.

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

Consequently, miscellaneous petitions pending, if any, shall also be closed.

CHALLA KODANDA RAM, J.

9th June, 2016
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