

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION Nos.20201 AND 20208 OF 2017

COMMON ORDER:

Since the subject matter in these two writ petitions is one and the same, these two writ petitions are disposed of by way of a common order.

2. The common grievance of the petitioners in these writ petitions is that the impugned proceedings bearing Nos.C/366/2017 and C/367/2017, of even date 01.05.2017 respectively issued by the Revenue Divisional Officer, Devarakonda, Nalgonda District – 2nd respondent herein are arbitrary, illegal, against the Principles of Natural Justice and also in violation of provisions contemplated under Telangana State Public Distribution System (Control) Order, 2016.

3. Heard learned counsel for the petitioners respectively and also the learned Government Pleader for the respondents from the written instructions and perused the prayer in the respective writ petitions and also the supporting affidavits in same line of averments in both the writ petitions including the impugned orders and also perused the written instructions.

4. The impugned proceedings from its perusal refers the cause as pendency of Section 6A of Essential Commodities

Act proceedings. Though 2nd respondent is the disciplinary authority empowered and competent including pending enquiry to suspend for any tenable ground, once it is not mentioned, any other ground other than the mere pendency of Section 6A proceedings of Essential Commodities Act proceedings, same is on its face not sustainable when that could not be disputed from the written instructions.

5. Having regard to the above, by setting aside the interim order of suspension pending enquiry, the 2nd respondent – Revenue Divisional Officer/Disciplinary Authority concerned is directed to pass final orders in the enquiry within two months from date of receipt of the order and any further grievance if at all of the petitioner is thereafter left open. Needless to say, by virtue of this interim order of suspension set aside, the petitioner is entitled to the distribution of provisions pending final orders in the enquiry.

6. Accordingly and with the above direction, these writ petitions are allowed. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

DR.B.SIVA SANKARA RAO,J

10.07.2017

Note: issue C.C. in two days.
B/o.SS