

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.26414 of 2017

ORDER:

Heard the learned Counsel for the petitioner and the learned Government Pleader for the respondents.

The petitioner was appointed as a permanent fair price shop dealer of shop No.21, Inagallu Village, Parchur Mandal in Prakasam District, in the year 2001. While so, the shop was inspected on 02.02.2017 by the Food Inspector, Kandukur, and the entire stock was seized by conducting panchanama. A show cause notice was issued on 30.03.2017 with a sole charge stating that she kept excess stock of rice, sugar and kerosene oil with a view to divert the same to the black market. The petitioner submitted her explanation. However, the authorization of the petitioner was suspended for a period of three months pending enquiry. Even after completion of three months, when no final order is passed, nor the commodities supplied, the present Writ Petition is filed.

Learned Government Pleader submits that proceedings under Section 6A of the Essential Commodities Act are pending and against the impugned order, the petitioner already filed an appeal before the Joint Collector, which is pending.

Since the impugned order specifically states that the suspension was for a period of three months pending enquiry, immediately after expiry of three months period, the third

respondent should have completed the enquiry or supplied the commodities. In view of the same, the third respondent is directed to supply the essential commodities in order to distribute the same to the card holders pending enquiry by the third respondent. It is needless to observe that the enquiry by the third respondent shall continue and the petitioner shall cooperate for conclusion of the enquiry.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

08.08.2017

Note: Issue C.C by tomorrow.
B/o.
vs

(A.RAMALINGESWARA RAO, J)

