

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 29543 of 2017

ORDER:

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

The petitioner was appointed as a dealer of Fair Price Shop No.59 of Hamsarali, Mandasa Mandal, Srikakulam District and he has been running the said shop for the last 22 years. On an earlier occasion, when the authorisation of the petitioner was suspended and no proceedings were initiated, he filed W.P.No.26452 of 2015 and this Court disposed of the same on 20.08.2015 by directing respondent No.3-Revenue Divisional Officer, Tekkali, Srikakulam District to issue show cause notice by giving clear details of the charges and conduct enquiry. Accordingly, a show cause notice was issued on 05.10.2015, but no enquiry was conducted. Challenging the said action, the petitioner filed W.P.No.3354 of 2016. However, when the writ petition came up for consideration, learned Government Pleader produced before this Court, a copy of the order, dated 20.01.2016, passed by respondent No.3 and in view of the same, the said writ petition was withdrawn. The petitioner filed W.P.No.7326 of 2016 challenging the order, dated 20.01.2016, and the said order was suspended by this Court on 07.04.2016 pending disposal of the writ petition.

While so, respondent No.3 issued a show cause notice to the petitioner once again on 14.06.2017 and the petitioner submitted his explanation on 19.06.2017. Thereafter, respondent No.3 suspended the authorisation of the petitioner by order, dated 10.07.2017. Aggrieved by the said order, the petitioner preferred an appeal before Respondent No.2-Joint Collector together with an application for stay and when no orders are passed thereon, the present writ petition is filed.

Since the enquiry itself is pending, this writ petition is disposed of directing respondent No.3 to conduct enquiry in respect of the charges levelled against the petitioner and pass appropriate orders after giving him an opportunity, within two months from the date of receipt of a copy of this order. In view of disposal of the instant writ petition as aforesaid, the appeal before respondent No.2 would become infructuous.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO,J

Dt:08.09.2017

kdl

