

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.22659 OF 2016

ORDER:

This writ petition, under Article 226 of the Constitution of India, challenges the order of suspension of the authorization of the fair price shop of the petitioner passed by the Revenue Divisional Officer, Adoni *vide* proceedings Rc.M.1693/2016, dated 15.06.2016.

2. Heard Sri M. Ganga Rao, learned counsel for the petitioner, and the learned Government Pleader for Civil Supplies appearing for the respondents.

3. By way of an order under challenge, the R.D.O., Adoni suspended the authorization of the fair price shop of the petitioner and also issued a show cause notice *vide* Rc.M.1693/2016, dated 15.06.2016, calling upon the petitioner to show cause as to why the authorization should not be cancelled while framing the following charges:

“1. The C.S.D.T, Alur has visited at Mollagavalli Village on 04.06.2016 (along with VRO) and inspected the F.P.Sop No.22 of Sri K.Mahesh he has not produced any accounts to the inspecting authority and not co-operative in this regard and created nuisance.

2. That the dealer Sri K.Mahesh along with his father and two brothers has insulted the C.S.D.T., Alur with filthy language.

3. That the C.S.D.T., Alur has made a complaint against the following individuals in Alur Police Station and on the

report of the C.S.D.T. a case has been registered in Alur Police Station as FIR No.54/2016, dt.04.06.2016 U/s.186, 353, 506/r/w 34 IPC.

I. K. Mahesh S/o.Govindappa

II. K.Govindappa

III. K.Gadilingappa

IV. K.Ramu

4. That the delaer is not distributing Ecs properly to the card holders. He is distributing rice with a Tin instead of Electronic weighing Machine.

5. The K-Oil Mandal wise allotment has not received from the Joint Collector, Kurnool for the month of June 2016. But the dealer has already obtained finger prints from the card holders and shown that he has distributed 59 Lts of K-Oil through E-pass Machine without distribution K-Oil. Why criminal action should not be initiated against the dealer for the irregularities committed.

6. That the dealer has obstructed the Govt.Officials from discharging of their legitimate duties.”

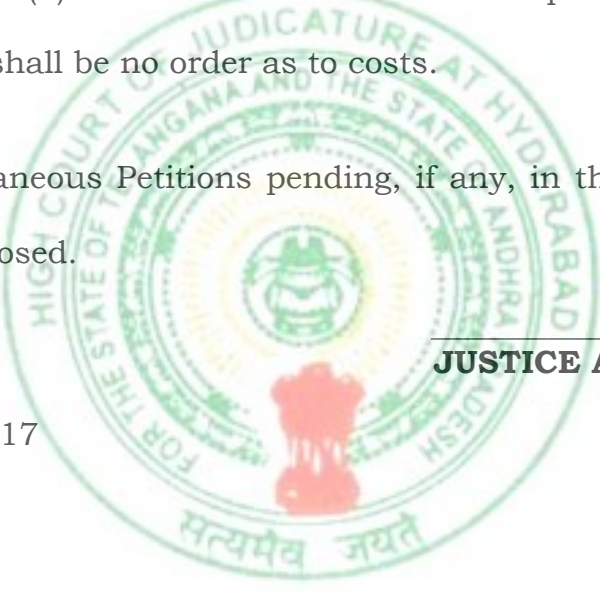
In response to the said show cause notice and the charges contained therein, the petitioner submitted his explanation on 24.06.2016. It is submitted by the learned counsel for the petitioner that though the petitioner herein submitted his explanation long back, no action has been taken by the R.D.O. in the direction of concluding the enquiry.

4. Having heard the learned counsel for the petitioner and the learned Government Pleader, this Court is of the considered view that the ends of justice would be served if the R.D.O., Adoni is

directed to complete the enquiry pursuant to the show cause notice, dated 15.06.2016, within a time frame.

5. For the aforesaid reasons, the Writ Petition is disposed of, directing the Revenue Divisional Officer, Adoni/respondent No.3 herein to complete the enquiry initiated against the petitioner pursuant to the show cause notice *vide* proceedings Rc.M.1693/2016, dated 15.06.2016, by considering the explanation, dated 24.06.2016, submitted by the petitioner after giving notice and opportunity of hearing to the petitioner within a period of three (3) months from the date of receipt of a copy of this order. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this writ petition shall stand closed.

**JUSTICE A.V.SESHA SAI**

Date: 16.2.2017
AMD

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