

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.Nos.21325 & 21554 of 2017

COMMON ORDER

Both the writ petitions are being disposed of by this common order as they relate to the impugned orders passed by the 3rd respondent cancelling the authorizations of the petitioners in respect of shop No.30 of Venkatampalli Village & Shop No.33 of Mettupalli Village respectively of Peapully Mandal, Kurnool District respectively.

The authorizations of the petitioners were initially suspended and an enquiry was conducted. The petitioners submitted their explanations and after submitting the explanations, the impugned orders dated 17.5.2017 were passed by the 3rd respondent.

A perusal of the impugned orders shows that the 3rd respondent has not applied his mind to the explanations submitted by the petitioners. He merely stated that the explanations were not convincing/satisfactory and the charges were proved.

Earlier, this Court had an occasion to consider similar orders passed by the same Officer (3rd respondent) and set aside

the same. The Officer does not appear to have followed the elementary principles of natural justice of passing reasoned orders. Such lack of basic knowledge is forcing this Court to set aside the impugned orders and remand the matters for passing reasoned orders.

In the circumstances, since this Court is not satisfied with the orders passed by the 3rd respondent, both the Writ Petitions are allowed and the matters are remanded to the 3rd respondent for passing orders afresh after giving due reasons and by applying his mind to the facts of the case, within a period of 30 days from the date of receipt of a copy of this order. Till such time, the interim arrangement is continued. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

31st July, 2017

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Note:

A copy of this order be marked to the District Collector for reviewing the orders passed by the 3rd respondent since the date of his assumption of office in the District and the need for educating him with regard to passing of proper orders in accordance with law and principles of natural justice.

