

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

**WRIT PETITION No.34442 of 2017**

**ORDER:**

The petitioner was appointed as a fair price shop dealer of Shop No.31 of Ankireddipalle Village, Kolimigundla Mandal, Kurnool District, on permanent basis. While so, the shop was inspected and the Tahsildar, Kolimigundla, submitted a report to the third respondent on 27.01.2016. On the basis of the same, the third respondent suspended the authorization of the petitioner mainly on the ground that he was not residing in the Village and he has not produced the registers along with the authorization at the time of inspection. It is the case of the petitioner that he applied for leave to the third respondent on 24.09.2015 for a period of three months from 01.10.2015 to 31.12.2015 and the same was sanctioned. The stocks were also lifted in the month of January, 2016. The alleged visit of the Tahsildar on 27.01.2016 was not correct. In those circumstances, challenging the order of suspension passed by the third respondent, the petitioner preferred an appeal to the second respondent along with an application seeking stay on 19.02.2016 and when the second respondent did not pass any orders, the petitioner filed W.P.No.7264 of 2016 challenging the suspension order passed by the third respondent. The said Writ Petition was disposed of on 08.03.2016 directing the second respondent to dispose of the appeal preferred by the petitioner within a period of eight weeks and stay of the earlier suspension order passed by the third respondent was granted by this Court pending disposal of the appeal. The appeal was disposed of on 01.09.2016 directing the third respondent to conclude the proceedings within a period of three weeks. After

receipt of the said order, after nearly six months, the third respondent issued a show cause notice asking the petitioner to appear before him on 06.05.2017 and he appeared on the same day and submitted explanation along with all material at his possession. When the third respondent did not dispose of the proceedings before him, the present Writ Petition is filed.

Learned Government Pleader submits that the petitioner is not cooperating with the enquiry. But, there is no material in support of the said contention.

Hence, this Court is inclined to dispose of the present Writ Petition directing the third respondent to dispose of the proceedings pending before him by giving due opportunity to the petitioner in accordance with law already laid down by this Court and pass appropriate orders within a period of two months from the date of receipt of a copy of this order. It is needless to observe that the petitioner shall cooperate for the disposal of the case by the third respondent.

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.

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**(A.RAMALINGESWARA RAO, J)**

16.10.2017

Note: Issue C.C in one week.

B/o.

vs