

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.34744 OF 2017

ORDER:

Heard learned counsel for petitioner and learned Government Pleader for respondents.

The petitioner states that he was appointed as fair price shop dealer of shop No.31 of Pathapadu Village, Vijayawada Rural Mandal, Krishna District, in the year 1993. While so, the Special Deputy Tahsildar (PDS) along with his staff, inspected the shop on 06.04.2017, found certain variations and seized the stock. The proceedings under Section 6-A of the Act are initiated and are pending before the Joint Collector (CS). The second respondent while issuing show cause notice, dated 26.04.2017, suspended the authorisation of the petitioner for running fair price shop, pending enquiry. The petitioner submitted his explanation and the enquiry is pending before the second respondent. The charges levelled against the petitioner are as follows.

Charge No.I: The F.P. shop dealer No.5 has stored excess stock of 27 Kgs of PDS Rice, 4 ½ Kgs of Sugar and 631 Ltrs., of Kerosene with an intention to divert the same into black market. Thus, he has violated clause 17(C) of A.P.Public Distribution (Control) Order, 2008 and Section 6-A of the E.C.Act, 1955.

Charge No.II: The F.P.Shop dealer has taken the biometric of the card holders and entered the Kerosene sales in ePos without actually distributing the Kerosene to the cardholders thus he made false and fictitious entries in ePos device, thus, he had violated clause 17(b) of the A.P. PDS (Control) Order, 2008.

Since the proceedings are pending before the second respondent, this Court is not inclined to interfere with the enquiry, but directs the second respondent to pass appropriate orders in accordance with law within a period of two months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

A.RAMALINGESWARA RAO, J

27.10.2017
pln

